

**WEDNESDAY, JANUARY 31, 1996**

**FIFTY-SIXTH LEGISLATIVE DAY**

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by President Milton Sewell, Freed Hardeman University, Henderson, Tennessee.

Representative Walley led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 96

Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

**EXCUSED**

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Davidson; death in family.

Representative Coffey; business reasons.

Representative Turner(Hamilton); personal reasons.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 131:** Rep(s). Patton, Fowlkes, Peach, Boyer, Jackson, Kent, Cole(Dyer), McMillan, Naifeh, Stulce, Kisber, Williams(Williamson), Ramsey, as prime sponsor(s).

**House Bill No. 1948:** Rep(s). Head as prime sponsor(s).

**House Bill No. 2009:** Rep(s). Cole(Carter) as prime sponsor(s).

**House Bill No. 2410:** Rep(s). Jackson as prime sponsor(s).

**House Bill No. 2450:** Rep(s). Stamps as prime sponsor(s).

**House Bill No. 2515:** Rep(s). Rinks as prime sponsor(s).

**House Bill No. 2569:** Rep(s). Jones S. as prime sponsor(s).

**House Bill No. 2671:** Rep(s). Hassell as prime sponsor(s).

**House Bill No. 2672:** Rep(s). Hassell as prime sponsor(s).

**House Bill No. 2673:** Rep(s). Hassell as prime sponsor(s).

**REPORT OF CHIEF ENGROSSING CLERK  
January 30, 1996**

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 202, 379, 381, 382, 385, 386, 387, 391, 392, 393, 395 and 396.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENROLLED BILLS  
January 30, 1996**

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 1842; also, House Joint Resolution(s) No(s). 399.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED  
January 30, 1996**

The Speaker signed the following: House Bill(s) No(s). 1842 also House Joint Resolution(s) No(s). 399.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE  
January 30, 1996**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1842; also, House Joint Resolution(s) No(s). 399; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE  
January 30, 1996**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 299, 302, 303 and 306; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK  
January 30, 1996**

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 1842; also, House Joint Resolution(s) No(s). 399.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED  
January 30, 1996**

The Speaker signed the following: Senate Joint Resolution(s) No(s). 290, 291, 292, 294, 298, 305, 309 and 310.

**MESSAGE FROM THE SENATE  
January 31, 1996**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 308 and 315; both adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**Senate Joint Resolution No. 308** -- Memorials, Sports - Leonard Coffman, Tennessee Sports Hall of Fame. by \*Haun.

**Senate Joint Resolution No. 315** -- Naming and Designating - "A Tennessee

Bicentennial Rap: 1796-1996" by Joan Hill Hanks; Official Tennessee Bicentennial Rap. by \*Fowler.

### INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

**\*House Joint Resolution No. 407** -- Memorials, Government Officials - Urges department of transportation to include segments of two county roads in Macon County within state highway system and to assume maintenance thereof. by \*Buck.

Transportation Committee

**\*House Joint Resolution No. 410** -- General Assembly, Directed Studies - Urges University of Tennessee to develop and implement external degree program to provide equal access to non-traditional students. by \*Dunn.

Education Committee

**House Joint Resolution No. 412** -- Naming and Designating - "Minority Economic Development Week," February 4-10, 1996. by \*Armstrong, \*Turner (Shelby), \*Jones R (Shelby), \*Miller L, \*DeBerry J, \*Brooks.

State & Local Government Committee

**\*House Joint Resolution No. 413** -- General Assembly, Studies - Continues through February 1, 1997, special joint committee established by HJR No. 172 to study feasibility of accreditation for law enforcement agencies. by \*Odom.

State & Local Government Committee

**House Joint Resolution No. 414** -- Naming and Designating - John Sevier, "Father of Tennessee" during 1996 Bicentennial. by \*Windle.

State & Local Government Committee

### RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for February 1, 1996:

**House Joint Resolution No. 416** -- Memorials, Public Service -- William R. Sharber, Winchester Fire Department. by \*Rigsby.

**House Joint Resolution No. 417** -- Memorials, Public Service -- Paralyzed Veterans of America -- 50th Anniversary. by \*Rigsby.

**House Joint Resolution No. 418** -- Memorials, Death - Evelyn Sigler Miller. by \*Ridgeway, \*Naifeh, \*Herron, \*Fitzhugh, \*DeBerry L, \*Chumney, \*Byrd, \*Cross, \*Rhinehart.

**House Joint Resolution No. 419** -- Memorials, Public Service - Rainey's Store, 50 years of business. by \*Ridgeway, \*Herron.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for February 1, 1996:

**Senate Joint Resolution No. 308** -- Memorials, Sports - Leonard Coffman, Tennessee Sports Hall of Fame. by \*Haun.

**INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 2712** -- Education - Establishes requirements for LEA, unlicensed employee or volunteer to assist in self-administration of medication by students and/or to carry out delegated health care activity for students. Amends TCA Title 49, Chapter 5. by \*Turner (Hamilton).

**House Bill No. 2713** -- Health - Establishes brain trauma registry to collect and disseminate information on incidence, victims, and agencies of traumatic brain injury. Amends TCA Title 68, Chapter 55, Part 2. by \*West.

**House Bill No. 2714** -- Utilities, Utility Districts - Clarifies procedures for property tax assessments of public utility companies. Amends TCA Title 67, Chapter 5, Part 13. by \*Bragg.

**\*House Bill No. 2715** -- Bond Issues - Transfers capital outlay notes refunding provisions to appropriate TCA location; permits g.o. refunding bonds to be sold at private negotiated sale. Amends TCA Title 9, Chapter 21, Part 9 and Title 9, Chapter 21, Part 6. by \*Bragg.

**House Bill No. 2716** -- Annexation - Grants priority to municipality providing services if two municipalities initiate annexation proceedings. Amends TCA Section 6-51-110. by \*Garrett.

**House Bill No. 2717** -- Pensions and Retirement Benefits - Authorizes Group 1 members who would have been Group 2 members if contributions had not been withdrawn to rejoin Group 2 upon payment of difference in contribution amount plus interest at statutory rate Amends TCA Title 8, Chapter 36, Part 2. by \*White.

**\*House Bill No. 2718** -- County Officers - Authorizes Dyer County trustee, in the trustee's discretion, to accept property taxes after July 10 and after tax rates finally set,

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tax rolls received and receipts prepared. Amends TCA Section 67-1-702. by \*Cole (Dyer).

**House Bill No. 2719** -- DeKalb County - Subject to local approval, redefines "person" in act authorizing tax on transients staying in hotels and motels to include hotels or motels owned by state in DeKalb County Amends Chapter 118 of the Private Acts of 1995. by \*Buck.

**House Bill No. 2720** -- Indigents - Allows court to consider amount of money person paid to make bond and source of such money in determining whether such person indigent for purpose of appointing legal counsel. Amends TCA Title 40, Chapter 14, Part 2. by \*Buck.

**House Bill No. 2721** -- Charitable Solicitations - Exempts from the statutes regulating charitable solicitations charitable organizations that do not employ professional solicitors or advisors. Amends TCA Title 48, Chapter 101, Part 5. by \*Buck.

**\*House Bill No. 2722** -- Budget Procedures - Authorizes any county by 2/3 vote of legislative body to adopt provisions of County Budget Law of 1990, only applies in Williamson County. Amends Chapter 550 of the Private Acts of 1989. by \*Buck.

**\*House Bill No. 2723** -- Domestic Violence - Expands scope of orders of protection to include directing that either or both parties attend counseling programs. Amends TCATitle 36, Chapter 3, Part 6. by \*Chumney.

**\*House Bill No. 2724** -- Wills - Allows any nonresident to serve as personal representative of estate of deceased. Amends TCA Title 35, Chapter 50, Part 1. by \*Chumney.

**\*House Bill No. 2725** -- Public Service Commission - Authorizes retirement incentive bonus plan for employees of public service commission. Amends TCA Title 8, Chapter 34, Part 2. by \*Rhinehart.

**House Bill No. 2726** -- Telecommunications - Abolishes small and minority-owned telecommunications business assistance program. Amends TCA Section 65-5-213. by \*Dunn, \*Pinion, \*Boyer, \*Williams (Union), \*Ritchie.

**House Bill No. 2727** -- Insurance Companies, Agents, Brokers - Authorizes claims paid by administrator from funds collected for insurer to be paid on checks or electronic transfers of insurer in addition to payment on drafts as currently authorized. Amends TCA Section 56-6-407. by \*Gunnels.

**House Bill No. 2728** -- Ashland City - Subject to local approval, amends charter relative to election of mayor and councilmen; grants certain authorities to and implements requirements for city judge; increases penalty for violation of town ordinance. Amends Chapter 241 of the Private Acts of 1921, as amended. by \*Williams (Williamson).

**\*House Bill No. 2729** -- Driver Licenses - Authorizes court to order impoundment of vehicle upon driver's conviction for driving vehicle when license to do so has been

suspended, revoked or canceled. Amends TCA Title 55, Chapter 50, Part 5. by \*Williams (Williamson).

**\*House Bill No. 2730** -- Abortion - Requires department of health to develop materials to be made available to attending physicians to enable compliance with informed consent requirements; materials to include fetal development recognized by American Academy of Obstetricians and Gynecologists and listing of agencies and services available to pregnant woman. Amends TCA Section 39-15-202. by \*Walley.

**\*House Bill No. 2731** -- Psychologists - Adds two years of graduate training in counseling as acceptable qualification for psychological examiners; present law allows only two years of graduate training in psychology; authorizes board to establish training and experience qualifications equivalent to present statutory standards. Amends TCA Title 63, Chapter 11. by \*Walley.

**House Bill No. 2732** -- Maury County - Subject to local approval, revises act creating Maury Regional Hospital. Amends Chapter 2 of the Private Acts of 1995. by \*Napier, \*White.

**House Bill No. 2733** -- Unclaimed Property - Revises requirements for presuming certain types of personal property unclaimed or abandoned. Amends TCA Title 66, Chapter 29, Part 1. by \*White, \*McMillan, \*Fitzhugh, \*Rinks, \*Fowlkes.

**House Bill No. 2734** -- Criminal Offenses - Adds threat of force to offense of resisting arrest by using force; increases penalty from Class B to Class A misdemeanor. Amends TCA Section 39-16-602. by \*McMillan.

**House Bill No. 2735** -- Charitable Solicitations - Exempts charitable organization that does not employ professional solicitors and advisors from statutes regulating charitable solicitations. Amends TCA Title 48, Chapter 101, Part 5. by \*Rigsby, \*Winningham, \*Buck, \*Pinion, \*Givens.

**House Bill No. 2736** -- Motor Vehicles - Increases number of Tennessee motor vehicle commission members from 16 to 18. Amends TCA Title 55, Chapter 17, Part 1. by \*Rigsby.

**House Bill No. 2737** -- Motor Vehicles - Exempts licensed motor vehicle dealers from requirements of automobile auction license, provided only certain model vehicles are auctioned. Amends TCA Title 55, Chapter 17, Part 1. by \*Rigsby.

**House Bill No. 2738** -- Auctions and Auctioneers - Increases number of Tennessee auctioneer commission members from five to seven. Amends TCA Section 62-19-104. by \*Rigsby.

**House Bill No. 2739** -- Auctions and Auctioneers - Requires persons applying for apprentice auctioneer and auctioneering firm licenses to have general equivalency degree. Amends TCA Title 62, Chapter 19, Part 1. by \*Rigsby.

**House Bill No. 2740** -- Motor Vehicles, Titling and Registration - Permits registration of antique motor vehicles for general transportation purposes with special antique license plates and payment of annual registration fees. Amends TCA Title 55, Chapter 4. by \*Rigsby.

**House Bill No. 2741** -- Motor Vehicles, Titling and Registration - Permits registration of antique motor vehicles for general transportation purposes with special antique license plates on payment of one time fee. No other annual registration fees would be applicable. Amends TCA Title 55, Chapter 4. by \*Rigsby.

**House Bill No. 2742** -- Motor Vehicles - Increases surety bond requirement for motor vehicle dealers applying for dealer's license from \$25,000 to \$50,000; creates \$25,000 surety bond requirement for each motor vehicle salesperson. Amends TCA Title 55, Chapter 17, Part 1. by \*Rigsby.

**House Bill No. 2743** -- County Officers - Prohibits elected officials from suing local or state government for pay raises. Amends TCA Section 5-12-211; Title 8, Chapter 20 and Section 8-24-109. by \*Rigsby.

**House Bill No. 2744** -- Planning, Public - Redefines "subdivision"; authorizes exemption for plat approval. Amends TCA Section 13-3-401 and Section 13-3-402. by \*Rigsby.

**\*House Bill No. 2745** -- Education - Requires commissioner of education to establish definitions, presently unspecified, regarding student membership in LEAs relative to appropriation process for BEP. Amends TCA Section 49-3-351(d). by \*Callicott, \*Bittle, \*Davidson, \*Davis, \*McDaniel.

**\*House Bill No. 2746** -- Highways, Roads and Bridges - Authorizes department of transportation to reduce speed limits on state roads and highways as necessary. Amends TCA Section 55-8-152. by \*Haley, \*Bittle, \*McDaniel.

**\*House Bill No. 2747** -- Workers' Compensation - Increases penalty from Class C to Class B misdemeanor for employer's refusing to comply with insurance requirements of Workers' Compensation Law. Amends TCA Title 50 and Title 56. by \*Joyce.

**\*House Bill No. 2748** -- State Symbols - Designates "How green is it?" as state question; answer is "Why the greenest state in the land of the free!" Amends TCA Title 4, Chapter 1, Part 3. by \*Givens.

**House Bill No. 2749** -- Taxes, Sales - Allows colleges and universities in state board of regents system to receive state sales tax allocation equal to tax on admission, parking, and retail sales of sports paraphernalia to repay obligations issued to build or renovate stadium. Amends TCA Title 67, Chapter 6. by \*Williams (Williamson), \*Bragg.

**House Bill No. 2750** -- Judicial Districts - Creates additional court and position of judge in 21st judicial district. Amends TCA Section 16-2-506. by \*Williams (Williamson), \*Callicott.



**\*House Bill No. 2751** -- Arbitration - Enacts "Alternative Dispute Resolution Act of 1996." by \*Herron.

**\*House Bill No. 2752** -- Insurance, Health, Accident - Requires individual or group health insurance policies and medical and hospital plans and HMO contracts issued or renewed after effective date of this bill to provide coverage for medical screening exams done in hospital emergency departments. Amends TCA Title 56, Chapter 7, Part 23. by \*Head.

**House Bill No. 2753** -- Drugs - Redefines "anabolic steroids" to exclude use administered in conjunction with estrogen for hormone deficient women for Schedule III controlled substances under Drug Control Act of 1989. Amends TCA Title 39, Chapter 17, Part 4. by \*Rhinehart, \*McDaniel, \*Duer.

**\*House Bill No. 2754** -- Taxes, Sales - Authorizes local governmental bodies to agree with county executive that county trustee not be entitled to receive compensation for distributing sales taxes. by \*Ritchie.

**\*House Bill No. 2755** -- Traffic Safety - Requires department of transportation to construct automatic warning devices at railroad crossing at Tipton Station Road in Knox County. Amends TCA Title 65, Chapter 11, Part 1. by \*Ritchie.

**\*House Bill No. 2756** -- Municipal Government - Authorizes municipalities to prohibit hunting from waterways or segments thereof located within corporate boundaries. Amends TCA Title 6, Chapter 54. by \*Ritchie.

**\*House Bill No. 2757** -- General Assembly - Establishes 12 year term limits for members of general assembly; time served to fill vacancy not included; authorizes member to run for other house at end of 12 consecutive years; member not eligible to run for re-election or be appointed to same house until expiration of four years following end of service; begins with November 1996 election. TCA Title 3. by \*Ritchie.

**House Bill No. 2758** -- Juvenile Offenders - Requires certain juvenile offenders to pay restitution for injuries and property loss. Amends TCA Section 37-1-131 and Section 40-35-320. by \*Purcell.

**House Bill No. 2759** -- Children - Establishes interdepartmental pilot mentoring program. Amends TCA Title 4; Title 37; Title 41; Title 49 and Title 71. by \*Purcell.

**House Bill No. 2760** -- Juvenile Offenders - Requires juvenile court clerk to make audio recording of all hearings to determine whether juvenile should be transferred to criminal court to stand trial as adult. TCA Section 37-1-134. by \*Purcell, \*Hargrove, \*Chumney.

**House Bill No. 2761** -- State Employees - Conforms state employee paternity leave provisions, relative to birth children, to paternity leave provisions applied in cases of adoption; if both parents are state employees, aggregate of sick leave for maternity and paternity is limited to 30 days. Amends TCA Title 8, Chapter 50, Part 8. by \*Purcell.

**\*House Bill No. 2762** -- Motor Vehicles, Titling and Registration - Provides for issuance of "KIDS FIRST!" license plates; specifies usage of additional revenues derived from issuance of such plates. Amends TCA Title 55, Chapter 4. by \*Purcell.

**House Bill No. 2763** -- Solid Waste Disposal - Revises Solid Waste Disposal Act of 1991; authorizes funds from solid waste management fund to be used to enhance recycling efforts and to develop permanent collection sites for household hazardous wastes; imposes tipping fee on municipal solid waste received at Class I landfills. Amends TCA Section 68-211-104; Title 68, Chapter 211, Parts 2 through 4; Title 68, Chapter 211, Part 8; Section 68-211-902; Section 68-211-903 and Section 68-211-924. by \*Purcell, \*Napier, \*Cross.

**House Bill No. 2764** -- Metropolitan Government - Requires metropolitan governments to establish wellness plan for employees by 1/1/97; to be coordinated with personnel, worker's compensation and health insurance programs. Amends TCA Title 7. by \*Purcell.

**House Bill No. 2765** -- Metropolitan Government - Permits metropolitan government employees to be represented before civil service commission by association representative. Amends TCA Title 7. by \*Purcell.

**House Bill No. 2766** -- Local Government, General - Permits local government employees to be represented before civil service commission by association representative. Amends TCA Title 7. by \*Purcell.

**House Bill No. 2767** -- Municipal Government - Extends political freedoms to employees of local government entities. by \*Purcell.

**House Bill No. 2768** -- Economic and Community Development - Redefines "capital project" under Tennessee Local Development Authority Act to also mean same as "project" as defined in Sports Authorities Act of 1993. Amends TCA Title 4, Chapter 31. by \*Purcell.

**House Bill No. 2769** -- State Employees - Reduces maximum length of temporary appointment to career service from four to three months. Amends TCA Title 4 and Title 8. by \*Purcell.

**House Bill No. 2770** -- Crime, Victims of - Revises Criminal Injuries Compensation Act by deleting from the definition of "child" the word individual and replacing it with the word person. Amends TCA Title 29, Chapter 13, Parts 1 and 3, and Section 40-24-107. by \*Purcell.

**House Bill No. 2771** -- Election Laws - Brings state voter purging procedure into compliance with National Voter Registration Law. Amends TCA Section 2-2-106. by \*Purcell, \*Ridgeway.

**House Bill No. 2772** -- Election Laws - Establishes procedure for changing voter's registration after voter changes address. Amends TCA Section 2-2-106; Section 2-2-109;

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Section 2-2-129; Section 2-2-130; Section 2-6-109; Section 2-6-202; Section 2-7-112; Section 2-7-115 and Section 2-7-124. by \*Purcell, \*Ridgeway.

**House Bill No. 2773** -- Administrative Procedure - Authorizes secretary of state to contract for publication of rules and monthly administrative register. by \*Purcell, \*Ridgeway.

**House Bill No. 2774** -- Taxes, Sales - Extends period, from three to four years, during which certain machinery is considered "industrial machinery" for sales and use taxation purposes. Amends TCA Title 67, Chapter 6. by \*Purcell.

**House Bill No. 2775** -- Aged Persons - Redefines and changes the language for "home for the aged" to "assisted living facility." Amends TCA Section 2-6-201; Section 48-101-301; Section 63-1-117; Title 68, Chapter 11; Section 68-29-122 and Section 71-6-103. by \*Purcell.

**House Bill No. 2776** -- Law Enforcement - Reduces number of months of full-time service by police officer in calendar year required for eligibility for police pay supplement from eight to seven months. Amends TCA Title 38. by \*Purcell.

**House Bill No. 2777** -- Environmental Preservation - Requires contractors who install or repair underground storage tanks to be certified. Amends TCA Title 62, Chapter 6. by \*Kernell.

**\*House Bill No. 2778** -- Assessors - Authorizes property assessors to enter unsecured and unoccupied buildings under construction without consent of owner to conduct assessments. Amends TCA Section 67-5-303. by \*Head.

**House Bill No. 2779** -- Mental Retardation - Requires number of ICF/MR beds be reduced by 20 percent beginning 1996-1997 fiscal year and each year over next four years; requires funding which would have been available for beds be transferred for home and community based services and support. Amends TCA Title 33 and Section 71-5-105. by \*Bragg.

**\*House Bill No. 2780** -- Highway Signs - Directs department of transportation to include Oakdale on existing signs at Airport Road/S.R. 299 exit on I-40. by \*Windle.

**House Bill No. 2781** -- State Prisoners - Specifies procedures and authorizes penalties for prison inmates who file frivolous or malicious lawsuits. Amends TCA Title 41, Chapter 21. by \*Rinks, \*Hargrove, \*White, \*Phelan, \*Cole (Dyer).

**House Bill No. 2782** -- Bad Checks - Increases from \$20.00 to \$25.00 amount payee of bad check can charge as handling charge; makes certain information on check prima facie evidence of identity of person issuing check in bad check prosecution. Amends TCA Title 39, Chapter 14 and Title 47, Chapter 29. by \*Rinks, \*McDonald, \*Curtiss.

**House Bill No. 2783** -- Bond Issues - Authorizes bond issue of up to \$14 million by department of environment and conservation for acquisition and development at Henry

Horton and Pickwick state parks. by \*Rinks, \*Fowlkes, \*Williams (Williamson), \*Beavers, \*Walley.

**\*House Bill No. 2784** -- Unemployment Compensation - Authorizes suspension of law whenever federal government not able to fulfill responsibilities due to insufficient funds being available. Amends TCA Title 50, Chapter 7. by \*Rinks.

**House Bill No. 2785** -- Taxes - Requires person selling business to notify assessor and trustee to make final payment of taxes within 20 rather than 15 days of so selling. Amends TCA Title 67. by \*Rinks.

**House Bill No. 2786** -- Driver Licenses - Prohibits personal offenses not committed in course and scope of employment from preventing issuance or renewal of commercial driver license. Amends TCA Title 55, Chapter 50. by \*Rinks.

**\*House Bill No. 2787** -- Alcoholic Beverages - Removes course of employment exception for 18 to 20 year olds from present 21 year old drinking age law. Amends TCA Title 1, Chapter 3 and Title 57, Chapters 3 through 5. by \*Rinks.

**House Bill No. 2788** -- Taxes, Sales - Includes freight and labor of boats as single article. Amends TCA Title 67, Chapter 6, Part 7. by \*Rinks, \*Kisber, \*Head, \*Rigsby.

**House Bill No. 2789** -- Employees, Employers - Revises Tennessee Employee Leasing Act. Amends TCA Title 62, Chapter. by \*Rinks.

**House Bill No. 2790** -- Taxes, Inheritance Gift - Makes state gift tax exclusions same as federal gift tax exclusions; applies to gift made on or after 1/1/97. Amends TCA Title 67, Chapter 8. by \*Rinks.

**House Bill No. 2791** -- Alcoholic Offenses - Clarifies intent for suspending license of juvenile for possession of alcohol where person of legal age in vehicle possesses alcoholic beverages and juvenile is not in actual possession of alcohol. Amends TCA Title 55, Chapter 10, Part 7. by \*Rinks.

**House Bill No. 2792** -- Insurance Companies, Agents, Brokers - Requires health insurance company to furnish copy of usual and customary charge statement to insured upon request. Amends TCA Title 56, Chapter 26. by \*Rinks.

**House Bill No. 2793** -- Garnishments and Executions - Increases homestead exemption to \$75,000 for persons over 65. Amends TCA Title 26, Chapter 2. by \*Rinks.

**House Bill No. 2794** -- Teachers - Provides 25 percent tuition discount at any state-operated institution of higher learning for public school teachers. Amends TCA Title 49, Chapter 7, Part 1. by \*Cantrell, \*Newton, \*McKee, \*Kerr, \*Hassell, \*Stulce, \*Stamps, \*Williams (Union), \*Bird, \*Callicott, \*Beavers, \*Duer, \*Whitson, \*Joyce, \*West, \*Clabough, \*Turner (Hamilton), \*Shirley, \*Halteman Harwell, \*Eckles, \*Brooks, \*McDaniel, \*Ritchie, \*Armstrong, \*Hicks, \*Boyer, \*Bell, \*Patton, \*Ramsey.

**\*House Bill No. 2795** -- Children - Enacts "African-American Culture Awareness Act of 1996," in Shelby County. Amends TCA Title 49. by \*Bowers, \*Towns, \*Miller L, \*Brooks, \*Turner (Shelby), \*Jones R (Shelby), \*DeBerry J.

**\*House Bill No. 2796** -- Sexual Offenses - Allows police to make arrest for offense of prostitution committed in a public place though not committed in officer's presence. Amends TCA Section 40-7-103. by \*DeBerry J, \*Jones R (Shelby), \*McDonald, \*Curtiss.

**\*House Bill No. 2797** -- Employees, Employers - Increases remuneration for domestic service in calendar quarter from \$1,000 to \$1,200 to be included service under employment security law. Amends TCA Title 50, Chapter 7. by \*Rhinehart.

**House Bill No. 2798** -- Criminal Procedure - Deletes requirement for annual reports, regarding the use of citations in lieu of continued custody of an arrested person, by law enforcement agencies to joint oversight committee on corrections. Amends TCA Section 40-7-118(m). by \*Rhinehart.

**House Bill No. 2799** -- Commerce and Insurance, Dept. of - Increases number of members on advisory committee to department from 12 to 15 members. Amends TCA Title 56. by \*Rhinehart.

**\*House Bill No. 2800** -- Taxes, Sales - Permits lump sum payment of local option use tax on leased personal property with single article limit of \$1,600. Amends TCA Section 67-6-204(c)(3). by \*West.

**House Bill No. 2801** -- Workers' Compensation - Requires use of case management in certain cases once threshold of medical costs or lost work time is met; prohibits use of multipliers to convert permanent partial into permanent total benefits. Amends TCA Title 50, Chapter 6. by \*West.

**\*House Bill No. 2802** -- Municipal Government - Removes restriction on cities and utility districts to construct water or sewer lines for private purpose as long as water or sewer line owned by or utility easement has been obtained by city or utility district. Amends TCA Section 7-35-401. by \*West.

**House Bill No. 2803** -- Hospitals and Health Care Facilities - Exempts birthing centers, which provide routine delivery and postpartum services for mothers and newborn infants, from the certificate of need process of the health facilities commission; subjects such centers to regulation by the board for licensing health care facilities. Amends TCA Title 68, Chapter 11. by \*Brown, \*Pruitt, \*Bowers, \*DeBerry L, \*Armstrong, \*Brooks, \*Towns, \*Miller L.

**House Bill No. 2804** -- Education - Requires publication of student dropout rates by schools and LEAs; imposes certain requirements on certain LEAs with high dropout rates among African American students. Amends TCA Title 49, Chapter 1, Part 2; Section 49-1-211 and Section 49-3-360. by \*Brown, \*DeBerry J, \*Bowers, \*Armstrong, \*Pruitt, \*Brooks, \*Towns, \*Miller L.

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**House Bill No. 2805** -- Insurance, Motor Vehicles - Revises uninsured motorist law to provide that uninsured motorist coverage need not be provided by excess or umbrella insurance policy. Amends TCA Title 56, Chapter 7, Part 12. by \*Buck.

**\*House Bill No. 2806** -- Courts, General Sessions - Requires officer levying execution to advertise sale of personalty for 14 rather than ten days. Amends TCA Title 16, Chapter 15. by \*Buck.

**\*House Bill No. 2807** -- Election Laws - Prohibits nonresidents who own property in Doyle from voting in city elections. Amends TCA Title 6, Chapter 53, Part 1. by \*Curtiss.

**House Bill No. 2808** -- TennCare - Urges managed care organizations to use provider networks established for patients not eligible for TennCare; prohibits managed care organization which participates in TennCare from discriminating against health care provider who chooses not to participate in organization's TennCare network. Amends TCA Titles 56 and 71. by \*Eckles.

**House Bill No. 2809** -- Game and Fish Laws - Allows person with county fishing license living in city lying in two counties to fish in all of the waters of city, not just those in county. Amends TCA Section 70-2-203. by \*Coffey.

**House Bill No. 2810** -- Financial Institutions, Dept. of - Exempts certain applicants for licensure or renewal as money transmitters from requirement of submitting audited financial statements. Amends TCA Section 45-7-207 and Section 45-7-211. by \*Coffey.

**House Bill No. 2811** -- Workers' Compensation - Enacts "Workers' Compensation Competitive Rating Act." Amends TCA Title 50 and Title 56. by \*Coffey.

**House Bill No. 2812** -- Insurance, Health, Accident - Revises Small Employer Group Health Coverage Reform Act. Amends TCA Title 56, Chapter 7, Part 22. by \*Coffey.

**House Bill No. 2813** -- Custody and Support - Conforms language of Tennessee's Uniform Child Custody Jurisdiction Act to language of uniform law in effect in most other states. Amends TCA Title 36, Chapter 6, Part 2. by \*Coffey.

**\*House Bill No. 2814** -- Workers' Compensation - Requires injured worker to file written notice of accident with employer at least 30 days prior to filing lawsuit or lawsuit subject to dismissal. Amends TCA Title 50, Chapter 6. by \*Coffey.

**House Bill No. 2815** -- Workers' Compensation - Replaces judicial determination of workers' compensation cases with contested case proceeding before administrative law judge. Amends TCA Title 50, Chapter 6. by \*Coffey.

**House Bill No. 2816** -- Drugs - Makes provisions of Juvenile Offender Act relative to suspension of driver license apply to persons 18-21 years old convicted of possession of controlled substance. Amends TCA Section 39-17-418. by \*Coffey.

**House Bill No. 2817** -- Utilities, Utility Districts - Grants Tennessee Regulatory Authority authority to impose civil penalties for violations of Underground Utility Damage

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Prevention Act, authority to require violators of 72 hour notice rule to attend certain classes, and authority to suspend or revoke contractor's license of repeat violators. Amends TCA Title 62 and Title 65. by \*Coffey.

**House Bill No. 2818** -- Gas, Petroleum Products, Volatile Oils - Establishes procedures relative to underground petroleum storage tanks when lender acquires such property by foreclosure on security interest. by \*Napier, \*Cross, \*Odom, \*McAfee, \*Curtiss.

**\*House Bill No. 2819** -- State Government - Enacts "Block Grant Review Act of 1996.". by \*Bragg.

**\*House Bill No. 2820** -- Law Enforcement - Authorizes county executive in Shelby County, or designee, to establish policies to employ and commission suitable number of persons as county security officers to have police powers. Amends TCA Title 5, Chapter 7. by \*Kent.

**\*House Bill No. 2821** -- Alcoholic Beverages - Maintains municipal inspection fee level of premier tourist resort city regardless of population. Amends TCA Section 57-5-301(b). by \*Huskey.

**House Bill No. 2822** -- Utilities, Utility Districts - Increases board of commissioners for Ocoee Utility District, Polk County, from three to five members. Amends TCA Section 7-82-307. by \*Newton.

**House Bill No. 2823** -- Insurance Companies, Agents, Brokers - Redefines "insurance company" to include limited liability companies and limited liability partnerships. Amends TCA Title 56, Chapter 2. by \*Ritchie.

**\*House Bill No. 2824** -- Workers' Compensation - Requires minimum of one employee to be covered for employers engaged in inherently dangerous activities; imposes duty on general contractor to determine if subcontractor is covered by workers' compensation insurance. Amends TCA Title 50, Chapter 6. by \*Ritchie.

**House Bill No. 2825** -- Tennessee Higher Education Commission - Extends terms of student members to two years; makes one voting and one non-voting; rotates voting position between systems. Amends TCA Section 49-7-204. by \*Armstrong, \*Tindell, \*Ritchie.

**House Bill No. 2826** -- Municipal Government - Expands powers of municipality relative to central business improvement district to include decoration, restoration, improvement or renovation of building facades and exteriors which confer public benefit. Amends TCA Title 7, Chapter 84, Part 5. by \*Armstrong, \*Tindell, \*Ritchie, \*Dunn, \*Burchett.

**House Bill No. 2827** -- Election Laws - Authorizes extended hours for early voting period for municipal elections in Memphis, Nashville, Knoxville, and Chattanooga. Amends TCA Title 2, Chapter 6. by \*Armstrong, \*Tindell, \*Dunn.

**House Bill No. 2828** -- Taxes, Real Property - Increases statutorily imposed maximum income level, (below which General Appropriations Act shall not provide to the contrary), from \$10,000 to \$12,400 for elderly and disabled homeowners to be eligible for participation in property tax relief program. Amends TCA Title 67, Chapter 5, Part 7. by \*Armstrong, \*Ritchie, \*Tindell, \*Dunn, \*Boyer, \*Bittle, \*Phelan, \*Cole (Carter), \*Patton, \*Stulce, \*Rinks, \*Cole (Dyer), \*White, \*Brooks.

**House Bill No. 2829** -- Motor Vehicles, Titling and Registration - Authorizes design and issuance of special license plates for members of certain fraternities and sororities. Amends TCA Title 55, Chapter 4, Part 2. by \*Armstrong, \*Brown.

**House Bill No. 2830** -- Aged Persons - Reduces number of months for which court may appoint guardian for abused adult from six to three months; reduces subsequent extensions to three months. Amends TCA Title 4; Title 39, Chapter 3; Title 40, Chapter 35; Title 68, Chapter 11 and Title 71, Chapter 6. by \*Armstrong, \*Tindell, \*Ritchie, \*Brown.

**House Bill No. 2831** -- Consumer Protection - Authorizes secretary of state office to establish three new consumer affairs offices (Nashville, Memphis, Knoxville). Amends TCA Titles 4, 8 and 47. by \*Armstrong, \*Ritchie, \*Brown.

**House Bill No. 2832** -- Sunset Laws - Extends certain agencies which provide mental health and mental retardation services until June 30, 1998. Amends TCA Title 4, Chapter 29. by \*Kernell.

**\*House Bill No. 2833** -- Physicians and Surgeons - Adds definition of and references to "research hospital" to definition of "practice of medicine" and statutes authorizing employment of certain physicians by hospitals. Amends TCA Title 63 and Title 68. by \*Arriola.

**\*House Bill No. 2834** -- Medical Occupations - Revises procedures relative to licensure as respiratory care therapist or physician assistant. Amends TCA Section 63-6-416 and Section 63-19-105. by \*Jones, S..

**House Bill No. 2835** -- Landlord and Tenant - Permits service of process in forcible entry and detainer actions to be accomplished by posting copy of summons and affidavit on door or premises and mailing copy to defendant's last known address if defendant cannot be personally served, or if no person is residing at premises at time of attempted service. Amends TCA Title 29, Chapter 18, Part 1. by \*Haley.

**House Bill No. 2836** -- Municipal Government - Revises revenue bond law to permit short term borrowing. Amends TCA. by \*Boyer, \*Bittle, \*Burchett.

**\*House Bill No. 2837** -- Bonds and Undertakings, Regulation of - Allows municipal utilities and natural gas districts to issue bonds in anticipation of collection of revenues from such public works. by \*Boyer.



**House Bill No. 2838** -- Penal and Reformatory Institutions - Authorizes county legislative body to increase number of freeholders from three to five to act as jail inspectors. Amends TCA Title 41. by \*Haley.

**House Bill No. 2839** -- Banks and Financial Institutions - Increases permissible amount that may be contained in mortgage escrow account; makes compliance with federal law sufficient for state compliance. Amends TCA Section 45-13-109. Repeals TCA Section 45-1-128. by \*Rhinehart, \*Byrd, \*Fitzhugh.

**\*House Bill No. 2840** -- Tort Liability - Enacts "Amusement Operator Safety and Liability Act." Amends TCA. by \*Patton, \*Dunn, \*Wood, \*Stamps, \*Boyer, \*Davis.

**House Bill No. 2841** -- Education - Provides that TCAP information be shared with senate and house education committees as well as joint oversight committee on education. Amends TCA Section 49-1-302; Title 49, Chapter 1, Part 6 and Title 49, Chapter 6, Part 60. by \*Davis.

**House Bill No. 2842** -- Education, Higher - Establishes Tennessee Youth Apprenticeship Program Amends TCA Title 49. by \*Davis.

**\*House Bill No. 2843** -- Sentencing - Creates factor for enhancement of criminal sentence that defendant committed theft of property against person 60 years or older by means of fraud or deception. Amends TCA Section 40-35-114. by \*Venable.

**House Bill No. 2844** -- Lobbying, Lobbyists - Changes time for lobbyists to register from five days to five business days Amends TCA Title 2, Chapter 10 and Title 3, Chapter 6. by \*Venable.

**House Bill No. 2845** -- Osteopathy - Revises requirements and criteria for issuing licenses as well as training requirements for osteopathic physicians. Amends TCA Title 63, Chapter 9, Part 1. by \*Armstrong.

**House Bill No. 2846** -- Osteopathy - Increases board of osteopathic examination from five to six; expands authority of board to investigate reports and discipline members; makes medical peer review provisions which apply to physicians applicable to osteopathic physicians. Amends TCA Title 63, Chapter 9, Part 1. by \*Armstrong.

**House Bill No. 2847** -- Malpractice, Professional - Extends requirement for reporting by insurance companies to state board of medical examiners of settlement or judgment in malpractice claims against licensed physician to include reporting to state board of osteopathic examination for claims against doctor of osteopathic medicine. Amends TCA Section 56-3-111. by \*Armstrong.

**House Bill No. 2848** -- Osteopathy - Prohibits boards, commissions, health care facilities, health and medical corporations and insurance companies from discriminating against eligible osteopathic physicians in certain circumstances. Amends TCA Section 63-9-106. by \*Armstrong.

**House Bill No. 2849** -- Claims Commission, Tennessee - Authorizes state to give injured employee option to use accrued sick and annual leave in lieu of temporary total disability; prohibits employee from receiving both accrued sick and annual leave and temporary total disability benefits for period employee is injured. Amends TCA Section 9-8-307(a)(1)(K)(i). by \*Rinks.

**\*House Bill No. 2850** -- Boats, Boating - Requires every vessel application be accompanied by correct fee. Amends TCA Section 69-10-207. by \*Bragg.

**\*House Bill No. 2851** -- Insurance, Health, Accident - Requires pap smears and health provider visit required to obtain pap smears to be covered by state insurance plan Amends TCA Title 8, Chapter 27, Part 2. by \*Chumney.

**\*House Bill No. 2852** -- Pest Control - Requires pest control board to set examination fees through rulemaking process. Amends TCA Title 62, Chapter 21. by \*Rinks.

**House Bill No. 2853** -- Pensions and Retirement Benefits - Permits state, county and municipal pensions to be treated same way as other pensions in divorce or annulment proceedings. Amends TCA Section 8-36-111 and Section 26-2-104. by \*Chumney, \*Stamps, \*McMillan, \*Kisber, \*Ridgeway, \*DeBerry L.

**\*House Bill No. 2854** -- Auctions and Auctioneers - Reduces classroom hours requirement for auctioneers from 80 to 75. Amends TCA Title 62, Chapter 19. by \*Phelan.

**House Bill No. 2855** -- Workers' Compensation - Requires associations to be in active existence for three rather than five years to be eligible to form self-insurance pools Amends TCA Title 50, Chapter 6. by \*Phelan.

**\*House Bill No. 2856** -- Municipal Government - Allows credit of 25 hours for associate degree or 50 hours for bachelor degree towards required 100 hours of education courses for municipal clerk certification. Amends TCA Section 6-54-120(b) and (c). by \*Fowlkes.

**\*House Bill No. 2857** -- Civil Service - Makes legislative and constitutional offices' employees civil servants. Amends TCA Title 8, Chapter 30. by \*Garrett.

**\*House Bill No. 2858** -- Alcoholic Beverages - Prohibits issuance of beer permit to person with DUI conviction in past five years Amends TCA Title 57, Chapter 5. by \*Garrett.

**House Bill No. 2859** -- Education, State Board of - Authorizes development of rules requiring schools to have communications systems and emergency procedures. Amends TCA Section 49-1-302. by \*Fowlkes, \*Windle, \*Winningham, \*McKee, \*Callicott, \*Purcell, \*Stulce, \*Williams (Williamson), \*Brown, \*Rhinehart, \*Jones U (Shelby), \*Chumney.

**House Bill No. 2860** -- Education - Establishes school safety center to develop and evaluate training materials and guidelines on school safety issues. Amends TCA Title 49, Chapter 6, Part 43. by \*Fowlkes, \*Windle, \*Winningham, \*McKee, \*Callicott, \*Purcell, \*Davidson, \*McDonald, \*Stulce, \*Williams (Williamson), \*Hargrove, \*Ramsey, \*Rhinehart, \*Patton, \*Brown, \*Davis, \*Jones U (Shelby), \*Chumney.

**House Bill No. 2861** -- Education - Enacts "Student and Employee Safe Environment Act of 1996." - Amends TCA Section 49-2-203; Section 49-2-303 and Section 49-6-3402. Repeals TCA Title 49, Chapter 6, Part 40. by \*Fowlkes, \*Windle, \*Winningham, \*Boyer, \*McKee, \*Purcell, \*Davidson, \*Hargrove, \*Callicott, \*Hicks, \*McDonald, \*Stulce, \*Williams (Williamson), \*Davis, \*Rhinehart, \*Ramsey, \*Patton, \*Brown, \*Jones U (Shelby), \*Chumney.

**House Bill No. 2862** -- Juvenile Offenders - Specifies notification procedures for schools of juvenile offenders. Amends TCA Section 37-1-131. by \*Fowlkes, \*Windle, \*Winningham, \*McKee, \*Callicott, \*Davidson, \*McDonald, \*Boyer, \*Williams (Williamson), \*Hargrove, \*Ramsey, \*Purcell, \*Davis, \*Rhinehart, \*Patton, \*Brown, \*Buck, \*Jones U (Shelby), \*Chumney.

**House Bill No. 2863** -- Juvenile Offenders - Redefines "unruly child" to include habitual disobedience of teachers or school administrators. - Amends TCA Section 37-1-102. by \*Fowlkes, \*Windle, \*Davidson, \*Winningham, \*McKee, \*Callicott, \*Purcell, \*McDonald, \*Boyer, \*Williams (Williamson), \*Hargrove, \*Ramsey, \*Davis, \*Rhinehart, \*Patton. (\*SB2118 by \*Cooper)

**\*House Bill No. 2864** -- Human Services, Dept. of - Directs department, subject to appropriations, to annually contract with one or more nonprofit entities to serve as institute for responsible fatherhood and family revitalization. Amends TCA Title 71, Chapter 3. by \*DeBerry L.

**\*House Bill No. 2865** -- Schools, Private - Adds "American Home School Association, Inc." to list of accrediting organizations for private schools. Amends TCA Section 49-50-801. by \*Turner (Shelby), \*Walley, \*Byrd, \*Brooks, \*DeBerry J, \*Jones R (Shelby), \*Armstrong, \*Miller L.

**\*House Bill No. 2866** -- General Assembly - Increases retirement benefits for members of general assembly. Amends TCA Section 8-36-209. by \*Turner (Shelby), \*Jones R (Shelby), \*Brooks, \*Armstrong, \*Jones U (Shelby), \*Miller L.

**House Bill No. 2867** -- Municipal Government - Establishes more flexible method for changes in size of municipal board of mayor and aldermen; establishes city court's jurisdiction over criminal cases. Amends TCA Title 6, Chapters 1 through 22. by \*Kisber, \*West, \*Westmoreland, \*Kent, \*Fowlkes, \*Fitzhugh, \*Cantrell.

**\*House Bill No. 2868** -- Education - Provides for review, copying, and approval of school materials and records by parents. Amends TCA Title 49, Chapter 6, Part 70. by \*Joyce.

**House Bill No. 2869** -- Teachers - Enacts "Alternative Hearing Procedures Act of 1996." Amends TCA Title 49, Chapter 50. by \*Winningham.

**House Bill No. 2870** -- Pensions and Retirement Benefits - Provides for state payment of portion of retired teachers, higher education employees, and state employee group health insurance costs, as set in General Appropriations Bill. Amends TCA Title 8, Chapter 27. by \*Windle, \*Winningham, \*McKee, \*Callicott, \*Williams (Williamson).

**House Bill No. 2871** -- DUI/DWI Offenses - Provides that operating motor vehicle with blood or breath alcohol concentration of .10 percent or more is per se violation of DUI statute; maintains .10 percent presumption of intoxication for proving defendant was driving under influence of intoxicant. Amends TCA Title 55, Chapter 10, Part 4. by \*Robinson, \*Stamps, \*Herron, \*Venable, \*Hassell, \*Sharp, \*Williams (Union), \*Beavers, \*Ford S, \*Ramsey, \*Roach, \*Patton, \*Clabough, \*McDaniel, \*Bittle.

**House Bill No. 2872** -- Hospitals and Health Care Facilities - Defines "residential assisted care living facility" and "residential assisted care living facility resident." Amends TCA Titles 2, 48, 63, 68 and 71. by \*Odom, \*Byrd, \*Pruitt, \*Duer, \*DeBerry L, \*Head, \*Kerr, \*Bowers, \*Davidson, \*DeBerry J, \*Armstrong, \*Jones, S., \*Miller L, \*Jones R (Shelby), \*Shirley, \*Haley, \*Turner (Hamilton), \*Kent, \*Herron, \*Bragg, \*Eckles, \*McMillan, \*Fowlkes, \*Buck, \*Hassell, \*Rinks, \*Ridgeway, \*Kisber, \*Chumney, \*Westmoreland, \*Callicott, \*Joyce, \*Kernell, \*Jones U (Shelby), \*Wood.

**\*House Bill No. 2873** -- Appropriations - Provides that balance in rainy day fund does not revert at end of fiscal year, but is carried over to next fiscal year. Amends TCA Title 9, Chapter 6. by \*Bragg.

## **INTRODUCTION OF BILLS**

Rep. Purcell moved that House Bill(s) No(s). 2874-3238, and any other bills filed by the close of business today, be properly introduced.

**House Bill No. 2874** -- Pensions and Retirement Benefits - Authorizes former nonteacher employees of Appalachian Educational Cooperative to receive credit in TCRS if county or counties in which such cooperative located accepts all financial responsibility for employer portion and employee makes back payment and interest. Amends TCA Title 8, Chapter 35, Part 2. by \*Windle.

**House Bill No. 2875** -- Oakdale - Subject to local approval, revises charter relative to responsibilities of board of mayor and aldermen. Amends Chapter 51 of the Private Acts of 1995. by \*Windle.

**House Bill No. 2876** -- Interstate Compacts - Authorizes Chickasaw Trail Economic Development Compact. by \*Walley, \*Naifeh.

**House Bill No. 2877** -- Lobbying, Lobbyists - Authorizes acceptance of food and beverages at conference events if such events are part of program at conferences held by

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umbrella organizations of elected public officials and staff. Amends TCA Section 3-6-114(b)(8). by \*Bragg.

**House Bill No. 2878** -- Sumner County - Subject to local approval, repeals purchasing law. by \*Stamps, \*McDonald.

**House Bill No. 2879** -- Consumer Protection - Regulates certain telephone solicitations. Amends TCA Title 47, Chapter 18. by \*Stamps.

**House Bill No. 2880** -- Criminal Offenses - Creates Class E felony offense for luring or enticing child into structure or dwelling. Amends TCA Title 39, Chapter 15. by \*Stamps.

**House Bill No. 2881** -- Custody and Support - Authorizes court to consider factor of superior religious influence in home for purposes of child custody. Amends TCA Section 36-6-106. by \*Hassell, \*Haley, \*Shirley, \*Dunn, \*Joyce, \*Huskey, \*Kent, \*Jones R (Shelby).

**\*House Bill No. 2882** -- Correction, Dept. of - Requires department of correction to promulgate regulations concerning the extent to which inmates should have access to sexually oriented material. Amends TCA Title 41, Chapter 21, Part 2. by \*Burchett.

**\*House Bill No. 2883** -- Child Abuse - Requires appropriate law enforcement official to conduct initial investigation of any report or allegation of child abuse or neglect, aggravated child abuse or child sexual abuse rather than department of human services. Amends TCA Title 37, Chapter 1 and Title 39, Chapter 15, Part 4. by \*Bird, \*Newton.

**\*House Bill No. 2884** -- Coon Dog Laws - Authorizes coon dog training from May 1 to first day of open season in Bradley and Meigs counties and sanctioned coon hunts in such counties during closed season. Amends TCA Title 70, Chapter 4, Part 1. by \*Newton, \*Bird.

**\*House Bill No. 2885** -- Sexual Offenses - Increases from less than 13 to less than 18 age at which sexual battery is aggravated sexual battery and rape is rape of child; increases penalty for child abuse from Class A misdemeanor to Class E felony; makes 30 days mandatory; raises from Class D to Class C felony for child abuse of child six or less. Amends TCA Title 39, Chapter 13, Part 5 and Title 39, Chapter 15. by \*Bird, \*Newton.

**House Bill No. 2886** -- General Assembly, Statement of Intent or Position - Declares legislature intent to have general assembly review administration of welfare programs semi-annually. Amends TCA Title 71. by \*Brooks, \*Pruitt, \*Towns, \*DeBerry J, \*Jones R (Shelby), \*Turner (Shelby).

**\*House Bill No. 2887** -- Funeral Directors and Embalmers - Specifies that director of division of regulatory boards will serve as executive director of board of funeral directors and embalmers. Amends TCA Title 62, Chapter 5, Part 2. by \*Garrett.

**\*House Bill No. 2888** -- Taxes - Authorizes increase for amount of annual rent received by charitable or nonprofit organization from \$1.00 to \$2.00 to qualify for exemption from property tax. Amends TCA Title 67, by \*Stamps.

**\*House Bill No. 2889** -- Municipal Government - Specifies that cities within specified distances from existing cities may incorporate under certain circumstances. Amends TCA Title 6, by \*Callicott.

**House Bill No. 2890** -- Public Funds and Financing - Requires referendum on capital outlay notes under certain circumstances. Amends TCA Title 9, Chapter 21, Part 6, by \*Cantrell.

**House Bill No. 2891** -- Welfare - Authorizes six rural and six urban counties to participate in individual development account (IDA) demonstration projects. Amends TCA Title 71, Chapter 3, by \*Pruitt, \*Langster.

**House Bill No. 2892** -- Unemployment Compensation - Inserts two additional employer premium tables for purposes of employment security premiums. Amends TCA Title 50, Chapter 7, Part 4, by \*Cole (Dyer).

**\*House Bill No. 2893** -- Aged Persons - Establishes respite care program in Gibson County; appropriates \$25,000 to fund such program. by \*Phelan, \*Pinion.

**\*House Bill No. 2894** -- Teachers - Provides that salary increases for state special school teachers take effect immediately on appropriation or authorization of funding. Amends TCA Title 49, Chapter 50, Part 10, by \*Windle.

**\*House Bill No. 2895** -- Bond Issues - Authorizes \$16 million bond issue for development of state park with marina and golf course near Clifton. Amends TCA, by \*Rinks.

**\*House Bill No. 2896** -- Public Service Commission - Grants job and salary security to certain transferred employees. by \*Bragg, \*Kisber, \*Head, \*Rinks.

**House Bill No. 2897** -- Treasurer, State - Revises provisions relative to collateral pool for public deposits. Amends TCA Title 9, Chapter 4, by \*Kisber, \*Fitzhugh.

**\*House Bill No. 2898** -- Annexation - Requires municipality, planning to annex by ordinance upon own initiative, to first adopt and publish comprehensive plan identifying all such annexations for calendar year. Amends TCA Title 6, Chapter 51, Part 1, by \*Ramsey, \*Wood.

**House Bill No. 2899** -- Local Education Agency - Requires LEAs to establish policy and release students for up to 90 minutes per week for religious instruction at request of parents. Amends TCA Title 49, Chapter 2, Part 1, by \*Ramsey, \*Wood.

**House Bill No. 2900** -- Pensions and Retirement Benefits - Allows retired teacher to return to work, within any agency of local government other than local education agency, and receive salary while drawing teacher retirement benefits. by \*Ramsey.

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**House Bill No. 2901** -- Taxes, Sales - Caps sales tax at \$2,500 on sale of airplane. Amends TCA Title 67, Chapter 6. by \*Ramsey.

**\*House Bill No. 2902** -- Banks and Financial Institutions - Allows commissioner of financial institutions to waive any regulation promulgated by commissioner which has not been revised or amended in more than five years. Amends TCA Title 45 and Title 56. by \*Rhinehart.

**\*House Bill No. 2903** -- Insurance Companies, Agents, Brokers - Increases time that insurance company must report entering into or terminating contract agency to notify commissioner from 30 to 45 days. Amends TCA Title 45 and Title 56. by \*Rhinehart.

**House Bill No. 2904** -- Courts, Criminal Appeal - Permits court of criminal appeals to sit in cities other than Knoxville, Nashville and Jackson; requires court to sit in panels of three judges unless presiding judge designates otherwise. Amends TCA Section 16-5-107. by \*Hassell.

**House Bill No. 2905** -- Education, Higher - Requires courses in contemporary issues to be offered at board of regents institutions and two UT institutions; all incoming freshmen required to attend. Amends TCA Title 49, Chapter 8, Part 1 and Title 49, Chapter 9, Part 1. by \*Hassell.

**House Bill No. 2906** -- Crime, Victims of - Provides that unborn offspring of human being conceived but not yet born considered victim for purposes of assault and homicide offenses. Amends TCA Section 39-13-107 and Section 39-13-214. by \*Beavers, \*Newton, \*Pinion, \*Burchett, \*Boyer, \*Williams (Union), \*Peach, \*Stamps, \*Halteman Harwell, \*Joyce, \*Bird, \*Ritchie, \*Gunnels, \*McKee, \*Shirley, \*Dunn, \*Byrd, \*Fowlkes, \*Sharp, \*Arriola.

**House Bill No. 2907** -- Marriage - Prohibits recognition of same sex marriages even if performed in other states. Amends TCA Title 36, Chapter 3. by \*Ritchie, \*Dunn, \*Newton, \*Kerr, \*Boyer, \*Stamps, \*McDaniel, \*West, \*Ramsey, \*Ford S, \*Beavers, \*Williams (Union), \*Shirley, \*Venable, \*Haley, \*Callicott, \*Duer, \*Burchett, \*Wood, \*Byrd, \*Fowlkes, \*Halteman Harwell, \*Sharp, \*Arriola, \*Whitson, \*Peach.

**House Bill No. 2908** -- Education - Enacts "Right to Read Act of 1996." Amends TCA Title 49. by \*Callicott.

**\*House Bill No. 2909** -- Textbooks - Adds two citizen members to state textbook commission. Amends TCA Section 49-6-2201. by \*Ramsey, \*Burchett, \*Bell, \*Gunnels, \*Wood, \*Shirley.

**House Bill No. 2910** -- Local Education Agency - Requires LEAs to adopt and file written policies and procedures to ensure school environments that are safe and secure from violence, weapons, and drugs. Amends TCA Title 49, Chapter 6, Part 42. by \*Jones U (Shelby).

**House Bill No. 2911** -- Appropriations - Provides for certain reduced levels of appropriations for fiscal years 1997-1998 and 1998-1999 in order to generate increased

funding for early intervention programs and services for children to prevent and/or treat problems of abuse, neglect, unruliness and delinquency. Amends TCA Title 9, Chapter 6, Part 1. by \*Jones U (Shelby), \*Bowers, \*DeBerry L, \*Armstrong, \*Pruitt, \*Brooks, \*Miller L, \*Towns, \*Langster.

**House Bill No. 2912** -- Loan Companies - Increases fees for out-of-state examination by adding to cost expenses for inspecting place of business. Amends TCA Title 45, Chapter 5. by \*Fitzhugh, \*McMillan.

**House Bill No. 2913** -- Taxes, Real Property - Requires taxpayer to provide written proof of payment before refund of overpaid property tax. Amends TCA Title 67. by \*Kent, \*Cole (Carter).

**House Bill No. 2914** -- Salaries and Benefits - Provides that officers and supervisors of TWRA and special agents of ABC receive same pay as comparable officers in highway patrol. Amends TCA Title 4, Chapter 7, Part 2. by \*Rhinehart.

**House Bill No. 2915** -- Sexual Offenses - Creates Class C felony offense of sexual battery by authority figure which involves sexual contact with person between 13-18 by person who occupies position of authority or trust over victim. by \*Curtiss, \*Rhinehart, \*Fitzhugh, \*Ford S.

**House Bill No. 2916** -- Civil Service - Establishes right of reassignment for career service employees who become part of executive service; permits career service incumbent assigned to executive service to retain civil service rights while successors would be part of executive service. Amends TCA Section 8-30-208. by \*Purcell, \*Jones R (Shelby), \*Givens, \*DeBerry L, \*Ridgeway, \*Pruitt, \*Bell, \*Winningham, \*Miller L, \*Rhinehart, \*Kernell, \*Fowlkes, \*Armstrong, \*Cantrell, \*Jones, S., \*McDaniel, \*Ramsey, \*Wood.

**House Bill No. 2917** -- Civil Service - Requires departments of personnel and finance and administration to make reports to general assembly of certain job position changes. Amends TCA Section 8-30-211. by \*Purcell, \*Jones R (Shelby), \*Givens, \*DeBerry L, \*Ridgeway, \*Pruitt, \*Bell, \*Winningham, \*Miller L, \*Rhinehart, \*Kernell, \*Fowlkes, \*Armstrong, \*McDaniel, \*Ramsey, \*Wood.

**House Bill No. 2918** -- Pensions and Retirement Benefits - Continues 3.6 percent retirement adjustment. Amends TCA Title 8, Chapter 34. by \*Rhinehart, \*Miller L, \*Kernell, \*Fowlkes, \*Armstrong, \*Pruitt, \*Whitson, \*Venable, \*Gunnels, \*Cantrell, \*Jones, S., \*McDaniel, \*Ramsey, \*Wood, \*McAfee.

**House Bill No. 2919** -- Insurance Companies, Agents, Brokers - Revises requirements relative to insurance or bond for permit to carry handguns. Amends TCA Section 39-17-1315. by \*West.

**House Bill No. 2920** -- Insurance Companies, Agents, Brokers - Requires premium finance company that willfully violates provisions concerning financing of premiums to refund all interest and any fee paid in addition to Class C misdemeanor violation. Amends TCA Section 56-37-113. by \*West.



**House Bill No. 2921** -- Insurance Companies, Agents, Brokers - Requires insurance company with surplus of less than \$50 million whose written premium is more than 75 percent in surety or fidelity lines to post in cash or equivalent, equal to 20 percent of maximum liability of cumulative aggregate penalty on bonds in effect as of date of last annual premium. Amends TCA Title 56, Chapter 2. by \*West.

**House Bill No. 2922** -- Insurance Companies, Agents, Brokers - Prohibits insurance company from using credit information for underwriting purposes or renewal of automobile insurance policy. Amends TCA Title 56, Chapter 7, Part 11. by \*West.

**House Bill No. 2923** -- Contractors - Decreases time allowed for alarm contractor to notify state board of qualifying agent ceasing to perform duties for contractor from ten to seven working days. Amends TCA Title 62. by \*West.

**House Bill No. 2924** -- Utilities, Utility Districts - Changes from department of transportation to Tennessee regulatory authority responsibility to oversee construction of natural gas pipelines and to review and approve rates and contracts for services involving natural gas. Amends TCA 7-82-301. by \*Burchett.

**House Bill No. 2925** -- Insurance, Health, Accident - Enacts "Domestic Violence Victims Health Insurance Protection Act." Amends TCA Title 56. by \*Chumney, \*Purcell, \*Naifeh, \*Herron, \*Eckles, \*Pinion, \*Fitzhugh, \*White, \*Bowers, \*Williams (Williamson), \*Brown, \*Head, \*Odom.

**House Bill No. 2926** -- Managed Care Organizations - Requires commissioners of human services and finance and administration to prepare list of all physicians and pharmacists who have contracted with managed care organization. by \*Chumney.

**\*House Bill No. 2927** -- Adoption - Repeals contact veto provisions of 1995 law and revises pre-1995 law. Amends TCA Title 36 and Title 37. by \*Chumney.

**House Bill No. 2928** -- Eminent Domain - Requires approval of county legislative body where property located if municipality condemns property outside county or county in which municipality located. Amends TCA Title 6, Chapter 54, Part 1. by \*Roach, \*Davis, \*Rhinehart, \*Davidson, \*Cole (Dyer), \*Phelan, \*Callicott, \*Head, \*Givens, \*Williams (Union), \*Whitson, \*Sharp, \*Cross, \*Pinion, \*Cantrell, \*Newton, \*Beavers, \*Ramsey, \*Eckles, \*Napier, \*Kisber, \*Huskey, \*McKee, \*Clabough, \*Kerr.

**House Bill No. 2929** -- Eminent Domain - Requires approval of county legislative body where property located if municipality condemns property located outside municipality's boundaries. Amends TCA Title 6, Chapter 54, Part 1. by \*Roach, \*Davis, \*Rhinehart, \*Davidson, \*Cole (Dyer), \*Sharp, \*Callicott, \*Williams (Union), \*Head, \*Phelan, \*Givens, \*Whitson, \*Pinion, \*Cross, \*Cantrell, \*Newton, \*Beavers, \*Ramsey, \*Eckles, \*Napier, \*Kisber, \*Huskey, \*McKee, \*Clabough, \*Kerr.

**House Bill No. 2930** -- Loan Companies - Requires title pledge lenders to utilize standardized consumer notification and disclosure forms prior to entering into any property pledge agreement or title pledge agreement wherein pledged property consists of motor vehicle. Amends TCA Title 45, Chapter 15, Part 1. by \*Boyer.

**House Bill No. 2931** -- Abortion - Requires attending physician to inform patient concerning insurance and on-call arrangements with local physicians; extends period for filing action for damages; places certain requirements on agencies charged with responsibility for enforcing law. Amends TCA Section 29-26-116 and Title 39, Chapter 15, Part 2. by \*Dunn.

**House Bill No. 2932** -- Taxes, Sales - Increases local option sales tax cap from first \$1,600 on sale or use to first \$3,000 on sale or use of single article of personal property. Amends TCA Title 67, Chapter 6, Part 7. by \*Bragg, \*Eckles, \*Beavers.

**House Bill No. 2933** -- Board of Regents - Directs small business development center to assist Tennessee regulatory authority with assistance program for small and minority-owned telecommunications businesses. Amends TCA Title 49, Chapter 7 and Title 49, Chapter 8. by \*Bragg, \*Eckles.

**House Bill No. 2934** -- Motor Vehicles, Titling and Registration - Requires persons who register motor vehicles to present proof of residence to county clerk by means of valid driver license or other satisfactory identification. Amends TCA Title 55, Chapter 4. by \*Bragg, \*Beavers, \*Eckles.

**House Bill No. 2935** -- Education - Allows unlicensed persons to assist in administration of medicines or medical procedures in schools. Amends TCA Title 49, Chapter 2, Part 1. by \*McDaniel, \*Whitson, \*McDonald.

**House Bill No. 2936** -- Abortion - Includes as coercion knowingly and intentionally giving false information or withholding information about pregnancy in violation of informed consent and waiting period provisions; establishes standing for maintaining action for knowing violations. Amends TCA Section 39-15-201. by \*Wood.

**House Bill No. 2937** -- Judicial Officers - Expands power of legislative body of Hamilton County to appoint judicial commissioners. Amends TCA Section 40-1-111(a)(1)(A). by \*Wood.

**House Bill No. 2938** -- Abortion - Deletes requirement of parental consent for abortions for minors. Amends TCA Title 37, Chapter 10, Part 3. by \*Wood.

**\*House Bill No. 2939** -- Abortion - Deletes judicial bypass and involvement of court-appointed counsel and department of human services under requirements for parental consent for abortions by minors. Amends TCA Title 37, Chapter 10, Part 3. by \*Wood.

**House Bill No. 2940** -- Laundries and Dry Cleaners - Revises Drycleaner's Environmental Response Act by redefining "in-state wholesale distributor" to remove requirement that drycleaning solvents and supplies be primary business; provides that drycleaners collect solvent surcharge from in and out of state distributors. Amends TCA Title 68, Chapter 217. by \*Joyce.

**\*House Bill No. 2941** -- Criminal Offenses - Provides that all thefts of leased or rented property are at least Class E felony. Amends TCA Section 39-14-108. by \*Joyce.

**House Bill No. 2942** -- Highways, Roads and Bridges - Prohibits the designation of highways in Maury County until March 1, 1996 or until the availability of further study, whichever comes first. by \*Napier.

**House Bill No. 2943** -- Workers' Compensation - Permits employer to set off from temporary total, temporary partial, and permanent partial disability benefits any payment made to employee under employer funded disability plan for same injury. Amends TCA Title 50, Chapter 6. by \*Williams (Williamson).

**House Bill No. 2944** -- Ethics - Prohibits certain activities of judicial officers and employees of judicial officers and state or local government having duties or responsibilities in evaluation, placement or determination of length of stay in certain facilities of children in state custody. Amends TCA. by \*Williams (Williamson).

**House Bill No. 2945** -- Workers' Compensation - Requires all subcontractors and those engaged in the construction industry to carry workers' compensation insurance regardless of size. Amends TCA Title 50, Chapter 6. by \*Williams (Williamson).

**House Bill No. 2946** -- Education, Higher - Changes executive director of Tennessee student assistance corporation from regular to ex officio member on board of trustees of baccalaureate education system trust fund program. Amends TCA Title 49, Chapter 7, Part 8. by \*Byrd.

**House Bill No. 2947** -- Development Districts - Enacts "Municipal Property Owners' Improvement District Law." Amends TCA Title 7. by \*Byrd.

**House Bill No. 2948** -- Development Districts - Enacts "Property Owners' Improvement District Law." Amends TCA Title 7. by \*Byrd.

**House Bill No. 2949** -- TennCare - Requires TennCare to provide benefits equivalent to TCHIP Medicare supplement benefits to disabled persons who were in such TCHIP program before TennCare took effect. Amends TCA Title 56 and Title 71. by \*Byrd.

**House Bill No. 2950** -- Medical Occupations - Requires committee of physical therapy to meet twice, rather than once, a year to test applicants for licensure. Amends TCA Title 63, Chapter 13. by \*Garrett.

**House Bill No. 2951** -- Rhea County - Subject to local approval, establishes civil service system for sheriff's department employees. by \*Duer.

**House Bill No. 2952** -- County Boundaries - Includes 1,741 acres more or less in District 9 of Sevier County presently located in District 13 of Blount County. by \*Huskey, \*Clabough, \*Kerr.

**House Bill No. 2953** -- Judicial Districts - Codifies five judgeships creating additional circuit court judge position in 13th, 16th, 21st, 22nd and 26th judicial districts. Amends TCA Section 16-2-506(13)(A); Section 16-2-506(16)(A); Section 16-2-506(21)(A); Section 16-2-506(22)(A) and Section 16-2-506(26)(A). by \*Buck, \*Bragg,

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\*Kisber, \*White, \*Curtiss, \*Eckles, \*McDaniel, \*Williams (Williamson), \*Hargrove, \*Peach, \*Duer, \*Beavers, \*Fowlkes.

**House Bill No. 2954** -- Real Property - Changes notice period regarding assessment of damages for ingress and egress easement action from three days to three business days Amends TCA Title 54, Chapter 14. by \*Kisber.

**House Bill No. 2955** -- Agriculture - Permits adjustments to commodity assessments be made twice annually. Amends TCA Title 43, Chapter 32. by \*Givens.

**\*House Bill No. 2956** -- Pensions and Retirement Benefits - Requires that projected salaries, rather than actual salaries, be used to calculate average final compensation of certain members of TCRS who were career employees of department of correction; establishes method for projecting such salaries. Amends TCA Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36 and Title 8, Chapter 37. by \*Jones R (Shelby).

**House Bill No. 2957** -- County Government - Enacts "The County Personnel Management System of 1996." Amends TCA Title 5. by \*Jones R (Shelby), \*Beavers, \*Ford S, \*Tindell, \*Curtiss, \*Kerr.

**\*House Bill No. 2958** -- Charitable Solicitations - Exempts religious entities with federal tax exemption that solicit funds from own membership from registration under charitable solicitation law Amends TCA Title 48, Chapter 101, Part 5. by \*Jones R (Shelby).

**House Bill No. 2959** -- Insurance, Life - Revises requirements regarding burial insurance relative to designation of funeral director by insurer. Amends TCA Title 56, Chapter 34. by \*Rinks.

**House Bill No. 2960** -- Fiscal Review Committee - Increases membership of committee from 15 to 18 to equalize number of members from each body; provides transitional language to increase committee for 99th General Assembly. Amends TCA Title 3, Chapter 7. by \*Kisber.

**House Bill No. 2961** -- Taxes, Sales - Eliminates certain printing related exemptions; deposits increased revenue in victims of crime compensation fund. Amends TCA Title 67, Chapter 6. by \*Kisber.

**House Bill No. 2962** -- Lobbying, Lobbyists - Permits gifts of travel expenses for intrastate travel for which no fare charged. Amends TCA Title 2, Chapter 10 and Title 3, Chapter 6. by \*Kisber.

**House Bill No. 2963** -- Financial Disclosure - Extends time period in which multi-candidate political campaign committee must file quarterly reports from within ten days following first day of January, April, July and October to within 12 days following such first days. Amends TCA Title 2, Chapter 10. by \*Kisber.

**\*House Bill No. 2964** -- Lobbying, Lobbyists - Limits gift restrictions to registered lobbyists. by \*Kisber.

**House Bill No. 2965** -- Election Laws - Requires constituent service accounts to be reported as contributions and requires candidate and political campaign committee to certify name and address of treasurer before receiving contribution or making expenditure. Amends TCA Title 2, Chapter 10, Part 1. by \*Ritchie.

**House Bill No. 2966** -- Public Records - Enacts "Information Network of Tennessee Act of 1996". by \*Kisber.

**House Bill No. 2967** -- Taxes, Personal Property - Clarifies that storage tanks may be real property if immovable. by \*Kisber.

**House Bill No. 2968** -- Hospitals and Health Care Facilities - Grants "private acts hospital authority" defined as hospital, hospital authority or hospital district created by private act, all rights and powers granted to private act metropolitan hospital authorities. Amends TCA Title 7, Chapter 57. by \*Kisber, \*Williams (Williamson), \*McKee, \*Rinks, \*Hargrove, \*Fowlkes.

**House Bill No. 2969** -- Welfare - Enacts "Tennessee Full Employment Welfare-to-Work Act of 1996". Amends TCA Title 71, Chapter 3. by \*Kisber.

**House Bill No. 2970** -- Taxes - Designates taxpayer remedies as "Tennessee Taxpayers' Bill of Rights Act." Amends TCA Title 4 and Title 67, Chapter 1. by \*Kisber.

**House Bill No. 2971** -- Taxes - Protects privacy of local tax records in same manner that state tax records are protected. Amends TCA Title 67, Chapter 1, Part 17. by \*Kisber.

**House Bill No. 2972** -- Education - Provides for suspension or dismissal of any teacher or administrator teaching theory of evolution as fact rather than theory. Amends TCA Section 49-5-501 and Title 49, Chapter 6, Part 10. by \*Whitson, \*Stulce, \*Roach, \*Bell, \*Burchett, \*Wood, \*Sharp, \*Gunnels, \*Davis, \*Byrd, \*Pinion, \*Ramsey, \*Jones U (Shelby), \*Towns, \*McKee, \*Ford S, \*Napier, \*McAfee, \*Jones R (Shelby).

**House Bill No. 2973** -- Alcoholic Beverages - Redefines "club" to include certain facility in Williamson County. Amends TCA Section 57-4-102(4). by \*Callicott.

**House Bill No. 2974** -- Metropolitan Government - Requires mayor to appoint director from each of nine school districts to sports authority board of directors; additional directors from community. Amends TCA Title 7, Chapter 67. by \*Garrett.

**\*House Bill No. 2975** -- District Attorneys - Defrays costs of district attorney and clerk for collection of fines, costs and litigation taxes that have been in default for at least six months. Amends TCA Section 40-24-105. by \*Ritchie.

**House Bill No. 2976** -- Hospitals and Health Care Facilities - Requires hospitals to include in annual report submitted to department of health community benefits report to include certain information. Amends TCA Section 68-11-310. by \*Givens, \*Byrd, \*Walley, \*Eckles, \*DeBerry J, \*Clabough, \*Williams (Williamson), \*Rinks, \*Cross, \*Stamps.

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**House Bill No. 2977** -- Hospitals and Health Care Facilities - Revises reporting by hospitals to include community benefits and taxes; defines "community benefits." Amends TCA Section 68-11-310. by \*Givens.

**House Bill No. 2978** -- Common Carriers - Provides for regulation of movers of household goods by department of safety beyond 6/30/97. Amends TCA Title 65, Chapter 15. by \*Napier, \*Cole (Dyer), \*Robinson.

**House Bill No. 2979** -- Cemeteries - Authorizes state historical commission to evaluate cemeteries and offer assistance as funds are available. Amends TCA Title 46 and Title 67, Chapter 5. by \*Napier, \*Garrett, \*Robinson.

**House Bill No. 2980** -- Parks, Natural Areas Preservation - Provides that 6 percent of park revenues be retained by department of environment and conservation, to be used for maintenance at state parks, funds not to revert but to be carried forward until expended Amends TCA Title 11, Chapter 3. by \*Napier, \*Shirley, \*Cross, \*Odom, \*Cantrell, \*Curtiss, \*McAfee.

**House Bill No. 2981** -- Financial Disclosure - Extends time period in which multi-candidate political campaign committee must file quarterly reports from within ten days following first day of January, April, July and October to within 12 days following such first days. Amends TCA Title 2, Chapter 10. by \*Kisber.

**House Bill No. 2982** -- Contractors - Revises requirements for impact fees for Metropolitan Government/Nashville; requires all local governments which have enacted impact fees to revise local bills to mirror provisions of Chapter 1022 of Public Acts of 1988, as amended by this act, or local legislation is null and void. Amends Chapter 1022 of Public Acts of 1988. by \*Kisber.

**House Bill No. 2983** -- Taxes, Business - Specifies definitions and exemptions of "industrial machinery" for purposes of taxation Amends TCA Title 67. by \*Kisber.

**House Bill No. 2984** -- Lobbying, Lobbyists - Restricts application of lobbyist prohibitions to registered lobbyists; revises other provisions of restrictions. Amends TCA Title 2, Chapter 10 and Title 3, Chapter 6. by \*Kisber.

**House Bill No. 2985** -- Education, Higher - Enacts "Tennessee Student Employment Incentive Program." Amends TCA Title 49, Chapter 7. by \*Kisber.

**House Bill No. 2986** -- Taxes, Sales - Exempts medical baths for pets and legend drugs used for pets by vets from sales and use tax. Amends TCA Title 67, Chapter 6. by \*Kisber, \*Fitzhugh, \*Cross, \*Head, \*Rinks, \*Purcell, \*Venable, \*Kent, \*Cole (Carter), \*Walley, \*DeBerry L, \*Byrd, \*Whitson.

**House Bill No. 2987** -- Local Education Agency - Revises powers and duties of board with respect to school buildings Amends TCA Section 49-2-203. by \*Kisber.

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**House Bill No. 2988** -- Sunset Laws - Revises termination date of council for hearing instrument specialists from June 30, 1997 to June 30, 1999. by \*Kernell, \*Garrett, \*Brooks.

**House Bill No. 2989** -- Sunset Laws - Southern region emergency management assistance compact, June 30, 2000. Amends TCA Title 4, Chapter 29 and Title 58, Chapter 2. by \*Kernell, \*Garrett, \*Brooks.

**House Bill No. 2990** -- Sunset Laws - Tennessee emergency management agency, June 30, 2000. Amends TCA Title 4, Chapter 29 and Title 58, Chapter 2. by \*Kernell, \*Garrett, \*Brooks.

**House Bill No. 2991** -- Sunset Laws - Modular building units advisory council, June 30, 1998. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 126. by \*Kernell, \*Garrett, \*Brooks.

**House Bill No. 2992** -- Sunset Laws - Tennessee neighborhood development corporation, June 30, 2000. Amends TCA Title 4, Chapter 29 and Title 13, Chapter 13. by \*Kernell, \*Garrett, \*Brooks.

**House Bill No. 2993** -- Sunset Laws - Local government insurance committee, June 30, 2000. Amends TCA Title 4, Chapter 29 and Title 8, Chapter 27. by \*Kernell, \*Garrett, \*Brooks.

**House Bill No. 2994** -- Sunset Laws - Interstate earthquake commission, June 30, 2002. Amends TCA Title 4, Chapter 29 and Title 58, Chapter 2. by \*Kernell, \*Garrett, \*Brooks.

**House Bill No. 2995** -- Real Property - Enacts "Real Property Inspectors Act." Amends TCA Title 62. by \*McDaniel.

**House Bill No. 2996** -- Sunset Laws - Adds disaster relief commission to sunset law, June 30, 2000. Amends TCA Title 4, Chapter 29 and Title 58, Chapter 2. by \*Kernell, \*Garrett, \*Brooks.

**House Bill No. 2997** -- Consumer Protection - Enacts "Precious Metals and Stones Consumer Protection Act of 1996." Amends TCA Title 47, Chapter 17, to enact the "Precious Metals and Stones Consumer Protection Act of 1996". by \*Lewis.

**House Bill No. 2998** -- Palmer - Subject to local approval, permits non-residents to run for office of town recorder. Amends Chapter 318 of the Private Acts of 1925, as amended. by \*Lewis.

**House Bill No. 2999** -- Naming and Designating - "Nell J. Garland Administration Building," campus of Tennessee Correction Academy, Tullahoma. by \*Lewis, \*Rigsby.

**\*House Bill No. 3000** -- Education - Enacts "Prayer in School Act of 1996." Amends TCA Title 49, Chapter 6. by \*Herron, \*Cole (Dyer), \*Fitzhugh, \*White.

**House Bill No. 3001** -- Evidence - Allows law enforcement officer's observations concerning defendant's taking of field sobriety test to be admissible in evidence without evidence that such tests have gained general acceptance in scientific community. Amends TCA Title 55, Chapter 10, Part 4. by \*Herron.

**House Bill No. 3002** -- Limitation of Actions - Establishes three year statute of limitations from discovery and cause of injury for civil actions brought for sexual abuse occurring when injured party was minor. Amends TCA Title 28, Chapter 3, Part 1. by \*Herron.

**\*House Bill No. 3003** -- Securities - Revises sections within Security Act of 1980. Amends TCA Title 48, Chapter 2. by \*Herron.

**House Bill No. 3004** -- Handicapped Persons - Broadens standards to be consulted when determining whether new building structure or substantially altered building structure meets minimum required specifications as to accessibility for handicapped persons. by \*Robinson.

**House Bill No. 3005** -- Emergency Communications Districts - Punishes references to 911 service in advertisements as Class C misdemeanor punishable by fine only; authorizes emergency communications district to obtain injunctions concerning such advertising. Amends TCA Title 7, Chapter 86 and Title 47. by \*Robinson.

**House Bill No. 3006** -- Taxes, Agricultural and Open Spaces - Specifies that tax assessment treatment of open space easements for benefit of state also apply to open space easements executed and recorded for benefit of local governments. Amends TCA Section 67-5-1009. by \*Garrett, \*Langster, \*Odom, \*West, \*Pruitt, \*Robinson, \*Purcell.

**House Bill No. 3007** -- Alcoholic Beverages - Increases penalty for manufacturer or distiller of alcoholic beverages who fail to file affirmation or violates pledges from 1 year suspension of license to 18 months; Increases time allowed for retailer of alcoholic beverages to notify commission of change of ownership from 10 to 14 days Amends TCA Section 57-3-202 and Section 57-3-204. by \*Rigsby.

**House Bill No. 3008** -- Wildlife Resources Commission - Reduces licensure requirement for possessing live wildlife from two years to one year of experience in handling or care Class I wildlife. Amends TCA Title 70, Chapters 1. by \*Rigsby.

**House Bill No. 3009** -- Contractors - Enacts "Electricians Licensing Act of 1996." Amends TCA Title 62, Chapter 6. by \*West.

**House Bill No. 3010** -- Computers and Data Processing - Directs comptroller and commissioner of finance and administration to establish statewide geographic information system; places responsibility on commissioner of finance and administration to ensure compliance upon completion of initial system. by \*White, \*Cole (Dyer), \*Rinks.

**House Bill No. 3011** -- Taxes, Real Property - Permits county or municipality to estimate general level of local assessment changes if taxes become due prior to disposition of appeals. Amends TCA Title 67, Chapter 5. by \*Kernell.



**House Bill No. 3012** -- Traffic Safety - Creates Class C misdemeanor offense of child under 12 riding in back bed of pickup truck on state, county or city roads, except for certain parades or agricultural purposes. Amends TCA Title 55, Chapter 8, Part 1. by \*Bragg, \*Kisber.

**House Bill No. 3013** -- Game and Fish Laws - Prohibits state and local agencies from stocking rockfish, Cherokee or alewife or any hybrid thereof in portion of Norris Lake within Campbell County. Amends TCA Title 70, Chapter 4. by \*Cross, \*Williams (Union).

**House Bill No. 3014** -- Game and Fish Laws - Prohibits raising rockfish, cherokee bass or hybrid thereof or alewife in Anderson County for purpose of stocking public waters within such county with such species. Amends TCA Title 70, Chapter 4. by \*Cross.

**House Bill No. 3015** -- Equalization Board - Directs county board of equalization in property assessment complaint to notify property owner of final decision and procedure for appeal within 30 days of hearing date. Amends TCA Title 67, Chapter 5, Part 14. by \*Cross.

**House Bill No. 3016** -- Game and Fish Laws - Prohibits state or local agencies from stocking rockfish, Cherokee or alewife or any hybrid thereof in portion of Norris Lake within Claiborne County. Amends TCA Title 70, Chapter 4. by \*Williams (Union).

**House Bill No. 3017** -- State Prisoners - Excludes elective surgery from proper medical treatment required to be provided to prisoners. Amends TCA Section 41-21-204. by \*Arriola.

**House Bill No. 3018** -- Adoption - Revises time period immediately before and after birth for which biological mother may be reimbursed for relevant expenses by adoptive parents. Amends TCA Titles 36 and 37. by \*Arriola.

**House Bill No. 3019** -- Laundries and Dry Cleaners - Revises Drycleaner's Environmental Response Act by redefining "in-state wholesale distributor" to remove requirement that drycleaning solvents and supplies be primary business; provides that drycleaners collect solvent surcharge from in and out of state distributors. Amends TCA Title 68, Chapter 217. by \*Arriola.

**House Bill No. 3020** -- Taxes, Franchise - Authorizes \$2,000 or 10 percent of wages paid credit on franchise tax if contractor employs certain apprentices. Amends TCA. by \*Arriola.

**House Bill No. 3021** -- Aged Persons - Requires department of health to develop a plan to re-allocate state and federal funds to housing alternatives and supportive services for the elderly that maximizes self-determinations and independent living. Amends TCA Title 68. by \*Arriola.

**\*House Bill No. 3022** -- Child Abuse - Requires healthcare providers treating woman giving birth to file report if child has fetal alcohol syndrome or is addicted to drugs; authorizes child to be kept in custody and makes child protective investigation requirements applicable. Amends TCA Title 37; Title 68 and Title 71. by \*Arriola.

**\*House Bill No. 3023** -- Driver Licenses - Requires application for driver license to include statement to be signed and included on reverse of license, which indicates applicant understands that if he drives while under influence of intoxicant, he is "reasonably certain" to harm or kill someone. Amends TCA Title 55. by \*Arriola.

**House Bill No. 3024** -- Railroads - Authorizes CSX, Inc. to abandon certain railroad rights of way in Davidson County. by \*Arriola.

**House Bill No. 3025** -- School Transportation - Reduces from one and one-half to one hour amount of time child enrolled in comprehensive developmental classroom (CDC) can spend in transit on school bus. Amends TCA Title 49, Chapter 6, Part 21. by \*McDonald.

**House Bill No. 3026** -- State Employees - Makes caretakers who live full time on property of historical sites eligible for state health insurance. Amends TCA Section 8-27-201. by \*McDonald, \*Stamps, \*Patton, \*Clabough, \*Venable.

**\*House Bill No. 3027** -- Administrative Procedure - Requires boards and commissions to notify applicants of deficiencies in applications; requires that members be residents of Tennessee. Amends TCA Title 4. by \*Kernell.

**House Bill No. 3028** -- Taxes, Real Property - Makes provisions relative to administrative appeals to state board of equalization or assessment appeals commission applicable to administrative appeals to county boards of equalization. Amends TCA Title 67, Chapter 5. by \*Kernell.

**House Bill No. 3029** -- Children - Requires child abuse reports to be forwarded to DHS for inclusion in central intake system. Amends TCA Title 37. by \*DeBerry L.

**House Bill No. 3030** -- DUI/DWI Offenses - Permits restricted driver license for school, work, and DUI program for person under 21 driving while impaired. Amends TCA Title 55, Chapter 10, Parts 4 and 7. by \*Westmoreland, \*Buck.

**House Bill No. 3031** -- Criminal Procedure - Deletes requirement that criminal defendant entitled to new trial if vacancy occurs in judgeship between verdict and hearing on motion for new trial; provides that judge's successor to rule on new trial motion after reviewing transcript and record of trial. Amends TCA Title 17, Chapter 1, Part 3. by \*McMillan.

**House Bill No. 3032** -- Education, Higher - Authorizes UT-Martin to accept and preserve papers of former Governor McWherter. Amends TCA Section 49-7-202 and Title 49, Chapter 9, Part 10. by \*Pinion, \*Herron, \*White, \*Fitzhugh, \*Naifeh, \*Davis, \*Jackson, \*Walley, \*Cole (Carter), \*Kisber, \*Cole (Dyer), \*Arriola, \*Phelan, \*Ridgeway, \*Rinks, \*Peach, \*Callicott, \*McDaniel, \*Buck, \*Winningham.

**House Bill No. 3033** -- Tennessee Higher Education Commission - Requires that THEC submit annual, rather than biennial, report to governor and general assembly. Amends TCA Title 49, Chapter 7, Part 2 and Title 49, Chapter 9. by \*Pinion, \*Herron.

**House Bill No. 3034** -- Welfare - Enacts "Family First Act of 1996." Amends TCA Section 13-28-103(4)(B); Section 67-6-667 and Title 71. by \*Halteman Harwell, \*Bragg, \*Bittle,

**WEDNESDAY, JANUARY 31, 1996 -- FIFTY-SIXTH LEGISLATIVE DAY**

\*Rhinehart, \*Phillips, \*Buck, \*McDaniel, \*Walley, \*Stamps, \*Duer, \*Wood, \*Dunn, \*Callicott, \*West, \*Ford S, \*Patton, \*Haley, \*McAfee, \*Venable, \*Eckles, \*McKee, \*Cole (Dyer), \*Robinson, \*Pruitt, \*Garrett, \*Newton, \*Clabough, \*Joyce, \*Cantrell.

**\*House Bill No. 3035** -- Welfare - Authorizes commissioner of human services to implement waivers to carry out welfare reform and establish pilot programs for families. Amends TCA Title 13; Title 67 and Title 71. by \*Halteman Harwell, \*Bittle, \*Bragg, \*Rhinehart, \*Phillips, \*Peach, \*McDaniel, \*Walley, \*Stamps, \*Duer, \*Wood, \*Dunn, \*Callicott, \*West, \*Ford S, \*Patton, \*McAfee, \*Venable, \*Eckles, \*McKee, \*Cole (Dyer), \*Garrett, \*Robinson, \*Newton, \*Clabough, \*Joyce, \*Cantrell.

**House Bill No. 3036** -- Custody and Support - Revises law concerning child support enforcement by license denial. Amends TCA Title 36, Chapter 5. by \*Halteman Harwell, \*Bittle, \*Duer, \*Stamps, \*McDaniel, \*Sharp, \*Wood, \*Dunn, \*Ford S, \*Patton, \*Peach.

**House Bill No. 3037** -- Employment Security, Dept. of - Requires employers to report information to department regarding employees newly hired or rehired after August 1, 1996. Amends TCA Title 50, Chapter 7. by \*Halteman Harwell, \*Bittle, \*Duer, \*Stamps, \*McDaniel, \*Sharp, \*Wood, \*Dunn, \*Ford S, \*Patton, \*Peach.

**House Bill No. 3038** -- Custody and Support - Revises law concerning child support enforcement. Amends TCA Title 36, Chapter 5. by \*Halteman Harwell, \*Bittle, \*Duer, \*Stamps, \*McDaniel, \*Sharp, \*Wood, \*Dunn, \*Ford S, \*Patton, \*Peach.

**House Bill No. 3039** -- Welfare - Purports to revise administrative regulations regarding programs and services for children on welfare. Amends TCA Titles 13, 67 and 71. by \*Halteman Harwell, \*Bittle, \*Duer, \*Stamps, \*McDaniel, \*Wood, \*Dunn, \*Ford S, \*Sharp, \*Patton.

**House Bill No. 3040** -- Drugs - Requires person attempting to fill prescription for legend drug, narcotic or controlled substance to present picture identification and sign receipt book before prescription can be filled. Amends TCA Title 53. by \*West.

**House Bill No. 3041** -- Welfare - Prohibits excluding person enrolled in TennCare from TennCare program merely because person marries or accepts employment unless person is automatically covered by insurance carried by spouse or employer. Amends TCA Title 4; Title 36; Title 37; Title 50; Title 68 and Title 71. by \*Jones U (Shelby), \*Bowers, \*Towns, \*Miller L.

**House Bill No. 3042** -- Custody and Support - Requires court to take into account in determining amount of child support all children toward whom person paying child support has duty of support and is in fact supporting. Amends TCA Section 36-5-101(e)(1). by \*Jones U (Shelby), \*Bowers, \*Towns.

**House Bill No. 3043** -- Juries and Jurors - Exempts full-time firefighters from jury duty. Amends TCA Title 22, Chapter 1. by \*Jones U (Shelby), \*Bowers, \*Langster, \*Miller L.

**House Bill No. 3044** -- Taxes, Real Property - Specifies additional qualifications for persons wishing to act as agents for taxpayers at certain hearings conducted in Shelby County. Amends TCA Section 67-5-1514(c). by \*Jones U (Shelby).

**House Bill No. 3045** -- Taxes, Real Property - Allows only those appraisers certified under Tennessee law to act as agent for taxpayer in property assessment hearings. - Amends TCA Section 67-5-1514(c). by \*Jones U (Shelby).

**House Bill No. 3046** -- Agriculture - Increases county agricultural extension committee from seven to nine members; additional two members selected by county legislative body. Amends TCA Title 49, Chapter 50, Part 1. by \*Jones U (Shelby), \*Langster, \*Pruitt, \*Bowers, \*Brooks, \*Turner (Shelby), \*DeBerry J, \*Jones R (Shelby), \*Towns.

**House Bill No. 3047** -- Election Laws - Creates conclusive presumption that papers, petitions and documents filed pursuant to election law are correct and timely if accepted for filing. Amends TCA Title 2. by \*Jones U (Shelby), \*Brooks.

**House Bill No. 3048** -- State Employees - Allows spouses of state employees to receive 25 percent tuition discount at state institutions of higher education. Amends TCA Section 8-50-115. by \*Jones U (Shelby), \*Brooks.

**House Bill No. 3049** -- Election Laws - Prohibits contesting candidate's nominating petition once county election commission has certified all signatures and accepted petition. Amends TCA Title 2, Chapter 5. by \*Jones U (Shelby), \*Brooks.

**House Bill No. 3050** -- Education - Provides for pilot program in alternative education; appropriates \$95,000 for competitive grant for 1996-97 fiscal year. Amends TCA Title 49, Chapter 6. by \*Jones U (Shelby), \*Brooks.

**House Bill No. 3051** -- Public Service Commission - Establishes certain job security and salary protection for certain transferred employees Amends TCA Title 8 and Title 65. by \*Jones U (Shelby), \*Odom, \*West, \*Bowers, \*Brooks, \*Williams (Williamson), \*Ridgeway, \*Miller L, \*Jones R (Shelby), \*DeBerry J, \*Langster, \*Ritchie, \*Armstrong, \*Cross, \*Pinion, \*Tindell, \*Chumney.

**House Bill No. 3052** -- Criminal Offenses - Creates Class C misdemeanor offense for intentional harming of police dog while performing official duties. Amends TCA Title 39, Chapter 14, Part 2. by \*McKee, \*Phelan, \*Rigsby, \*Roach.

**House Bill No. 3053** -- TennCare - Establishes TennCare eligibility for persons and their dependents who become unemployed through closure of employer's business or plant, notwithstanding availability of continuing insurance coverage under COBRA. Amends TCA Title 71. by \*McKee, \*Gunnels, \*Cole (Dyer), \*Phelan, \*Rinks, \*Roach.

**House Bill No. 3054** -- Penal and Reformatory Institutions - Revises law concerning acquisition, construction, and operation of prisons Amends TCA Title 4, Title 12 and Title 41. by \*McKee.

**House Bill No. 3055** -- Banks and Financial Institutions - Requires financial institutions to disclose to borrower existence of dragnet, blanket or open-end clauses in mortgages, deeds of trust or other documents evidencing debt; clause to be distinguishable from remainder of

print by print size or placed inside border; failure to comply renders clause unenforceable. Amends TCA Title 47, Chapter 23. by \*McKee.

**House Bill No. 3056** -- Election Laws - Recognizes certain political privileges of local governmental employees; prohibits employees of municipal and certain metropolitan governments from seeking elected office in local governing body of local government where employed. TCA Title 2, Chapter 19, Part 2. by \*West.

**House Bill No. 3057** -- General Assembly - Prohibits person or entity receiving state funds from using such funds to provide food or drink to anyone in attempt to influence legislation or appropriation by general assembly. by \*Bragg, \*Bittle, \*McDaniel, \*Venable.

**House Bill No. 3058** -- Sentencing - Raises fees imposed on offenders serving sentences under supervision of community corrections grantee. Amends TCA Title 40, Chapter 36. by \*McKee, \*Bittle, \*McDaniel, \*Gunnels, \*Roach, \*Rhinehart, \*Cole (Carter), \*Rinks, \*Phelan, \*Davis.

**House Bill No. 3059** -- Mental Illness - Revises criteria which determine persons liable and degree of liability for services rendered by department of mental health and mental retardation. Amends TCA Title 33, Chapter 4. by \*McDaniel, \*Bittle, \*Davis.

**House Bill No. 3060** -- Regional Authorities - Replaces Obion-Forked Deer Basin Authority with new authority attached to department of environment and conservation. Amends TCA Title 64, Chapter 1, Part 4. by \*Walley, \*McDaniel, \*Bittle, \*Davis, \*Phelan, \*Rinks, \*Fitzhugh, \*Cole (Dyer), \*Pinion.

**House Bill No. 3061** -- Mental Illness - Grants commissioner of mental health and mental retardation power to close mental health facilities in operation without proper licensure. Amends TCA Title 33, Chapter 2, Part 5. by \*Walley, \*Bittle, \*Davis, \*Phelan, \*Rinks, \*Fitzhugh, \*Cole (Dyer), \*Pinion, \*McDaniel.

**House Bill No. 3062** -- Mental Health and Mental Retardation, Dept. of - Requires applicants for employment to submit to investigatory check, including fingerprints, as to prior criminal history. Amends TCA Title 33, Chapter 1. by \*Walley, \*Bittle, \*Davis, \*Phelan, \*Rinks, \*Fitzhugh, \*Cole (Dyer), \*Pinion, \*McDaniel.

**House Bill No. 3063** -- Criminal Procedure - Establishes habitual drug offender classification, procedure and penalty. Amends TCA Title 39, Chapter 17, Part 4. by \*Westmoreland, \*Bittle, \*Davis, \*Cole (Dyer), \*Wood, \*Stamps, \*Fitzhugh, \*Phelan, \*Rinks, \*White, \*McDaniel, \*West, \*Ramsey, \*Givens, \*Buck, \*McMillan, \*Venable, \*Callicott, \*Fowlkes, \*Hargrove, \*Patton.

**House Bill No. 3064** -- Taxes, Sales - Exempts contractors whose principle business is performance of contracts to improve realty, from sales and use tax. Amends TCA Sections 67-1-1802, 67-6-102 and 67-6-209. by \*Davis, \*Bittle, \*Cole (Dyer), \*Rinks, \*Head, \*McDaniel.

**House Bill No. 3065** -- Insurance, Health, Accident - Purports to revise regulations regarding insurance taxes, health maintenance organizations and privilege and excise taxes.

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Amends TCA Title 56, Chapter 32; Title 56, Chapter 4 and Title 67, Chapter 4. by \*McDaniel, \*Bittle.

**House Bill No. 3066** -- State Government - Revises law concerning organization and duties of departments. Amends TCA Title 4, Chapter 3. by \*Davis, \*Bittle, \*McDaniel.

**House Bill No. 3067** -- Pensions and Retirement Benefits - Purports to affect revisions to retirement benefits. Amends TCA Title 8, Chapters 34 through 37. by \*McDaniel, \*Bittle, \*Davis.

**House Bill No. 3068** -- Correctional Programs - Revises law concerning private prison contracting. Amends TCA Title 41, Chapter 24. by \*Walley, \*Bittle, \*Davis, \*McDaniel.

**House Bill No. 3069** -- Civil Service - Purports to change regulations regarding filling of vacancies in career service employment positions. Amends TCA Title 8, Chapter 30. by \*Stamps, \*Bittle, \*McDaniel.

**House Bill No. 3070** -- Highways, Roads and Bridges - Includes segment of U.S. 41, Hamilton County, known as "Cummings Highway" in scenic highway system. Amends TCA Title 54, Chapter 17. by \*McAfee.

**House Bill No. 3071** -- Real Property - Permits person who has paid property tax on property person has lived on for 35 years of uncontested possession with no deed and no deed on record to take title to property on petition to court of competent jurisdiction. Amends TCA Title 66 and Title 67. by \*McAfee.

**House Bill No. 3072** -- School Transportation - Removes exemption on van-type vehicles used to transport students from complying with national bus standards and federal motor vehicle safety standards. Amends TCA Section 49-6-2115. by \*McAfee, \*Davis.

**House Bill No. 3073** -- Firearms and Ammunition - Revises procedures for obtaining firearms permit. Amends TCA Title 39, Chapter 17, Part 13. by \*Arriola, \*Beavers, \*Patton, \*Bell, \*Cantrell.

**House Bill No. 3074** -- Courts, General Sessions - Authorizes counties by 2/3 vote to increase local litigation tax for sole purpose of funding a salary supplement to certain general sessions judges exercising juvenile jurisdiction that existed under prior salary schedule. Amends TCA Section 16-15-5006. by \*Bell, \*Beavers.

**House Bill No. 3075** -- Consumer Protection - Creates consumer education fund associated with department of commerce and insurance to promote consumer education and awareness. Amends TCA Title 47, Chapter 18, Part 50. by \*Beavers, \*Stamps, \*McDaniel, \*McAfee, \*Bird, \*Brooks, \*Cantrell, \*Newton, \*Kerr, \*Clabough.

**House Bill No. 3076** -- Corporations, Not for Profit - Defines "public benefit corporation" for purposes of dissolution notices to attorney general and for regulation of health care facilities. Amends TCA Titles 68, 33 and 48. by \*McDonald.

**House Bill No. 3077** -- Obscenity and Pornography - Adds that oral leases or rental contracts on buildings used for sale or exhibition of obscene material unenforceable, as well as written leases or contracts. Amends TCA Section 66-7-105. by \*DeBerry J, \*Hargrove.

**House Bill No. 3078** -- Obscenity and Pornography - Prohibits sale or production of sexually explicit material not containing federally required notice of where the records containing information pertaining to performers in material are located. by \*DeBerry J, \*Hargrove.

**House Bill No. 3079** -- Motor Vehicles, Titling and Registration - Authorizes issuance of special license plates for Mothers Against Drunk Driving (MADD). Amends TCA Title 55, Chapter 4. by \*Hargrove.

**House Bill No. 3080** -- Criminal Offenses - Makes sale of certain items to metal recycling facility Class C misdemeanor. Amends TCA Titles 39 and 40. by \*Hargrove.

**House Bill No. 3081** -- Telecommunications - Adds unauthorized use of wireless telecommunication services to offense of theft of services. by \*Hargrove.

**House Bill No. 3082** -- Criminal Procedure - Specifies conditions upon which post conviction relief may be granted. by \*Hargrove.

**House Bill No. 3083** -- Domestic Violence - Redefines "court" in domestic abuse cases to include judicial commissioner of county in which petitioner resides. Amends TCA Title 36, Chapter 3. by \*Hargrove.

**House Bill No. 3084** -- Emergency Communications Districts - Extends emergency telephone service charge for 911 services to users of cellular phones. Amends TCA Title 7, Chapter 86. by \*Hargrove.

**House Bill No. 3085** -- Taxes, Business - Exempts real estate brokers from business tax. Amends TCA Title 67, Chapter 4, Part 7. by \*Hargrove.

**House Bill No. 3086** -- Highways, Roads and Bridges - Prohibits TDOT from denying access to right of way for utility line on S.R. 111 in Putnam County. Amends TCA Title 7 and Title 54. by \*Hargrove.

**House Bill No. 3087** -- Evidence - Permits, in prosecutions for sex offenses, facts of complaint to be admitted as evidence in state's case, provided complaint made within reasonable time after event. Amends TCA Title 40, Chapter 17, Part 1. by \*Hargrove.

**House Bill No. 3088** -- Criminal Procedure - Prohibits exclusion of rebuttal witnesses from courtroom during criminal trials or other adjudicatory hearings. Amends TCA Title 40, Chapter 18, Part 1. by \*Hargrove.

**House Bill No. 3089** -- Criminal Offenses - Adds aggravated child neglect to offenses which elevate killing committed during perpetration of such offense to first degree murder. Amends TCA Section 39-13-202. by \*Hargrove.

**House Bill No. 3090** -- Criminal Offenses - Creates offense of aggravated child neglect, elements of which are identical to offense of aggravated child abuse except child neglected rather than abused. Amends TCA Section 39-15-402. by \*Hargrove.

**House Bill No. 3091** -- District Attorneys - Changes name of executive secretary to district attorneys general conference to executive director to district attorneys general conference. Amends TCA Title 8, Chapter 7. by \*Hargrove.

**House Bill No. 3092** -- Public Records - Clarifies that records expunged following deferral of proceedings and probation do not include arrest histories, investigative reports and other law enforcement records not considered public records under general expungement statute. Amends TCA Section 40-35-313. by \*Hargrove.

**House Bill No. 3093** -- Criminal Offenses - Redefines "serious bodily injury" to include breaking, fracturing or loss of teeth. Amends TCA Section 39-11-106. by \*Hargrove.

**House Bill No. 3094** -- Appeal and Review - Provides that a defendant's appeal of trial court ruling that district attorney did not abuse discretion in failing to grant defendant pre-trial diversion is to court of criminal appeals pursuant to Rule 37 of Rules of Criminal Procedure. Amends TCA Section 40-15-105. by \*Hargrove.

**House Bill No. 3095** -- Sentencing - Purports to provide that if judge does not express percentage of sentence defendant must serve in confinement when entering judgment, percentage is 100 percent; provides that if defendant violates misdemeanor probation must serve remainder of sentence regardless of release percentage unless judge orders otherwise. Amends TCA Section 40-35-310; Section 40-35-311, Section 40-35-302 and Section 41-21-236. by \*Hargrove.

**House Bill No. 3096** -- Sexual Offenses - Allows "simulated" sexual intercourse and "simulated" sexual conduct to be considered "sexual penetration" for purposes of sexual offenses such as rape and aggravated rape. Amends TCA Section 39-13-501. by \*Hargrove.

**House Bill No. 3097** -- Landlord and Tenant - Provides that no action for unlawful detainer may be maintained against tenant who has paid all rent due for current occupancy and who is not in violation of law or lease. Amends TCA Section 29-18-102. by \*Hargrove.

**House Bill No. 3098** -- Codes - Allows county building code requirements to remain in effect if area annexed by municipality annexing across county lines and existing county building codes are stricter than those of annexing municipality. Amends TCA Title 5, Chapter 20 and Title 68, Chapter 120. by \*Callicott.

**House Bill No. 3099** -- Sports - Provides, with respect to Sports Authorities Act, that actions required of municipal governing body may be accomplished via resolution adopted by majority vote of all members of governing body then in office; sets procedures for consideration of such resolutions. Amends TCA Title 7, Chapter 67. by \*Garrett.

**House Bill No. 3100** -- Local Government, General - Includes collectors of metropolitan governments with those of municipal corporations as authorized to collect taxes and fines. Amends TCA Title 6, Chapter 55. by \*Garrett.



**House Bill No. 3101** -- Tennessee Regulatory Authority - Extends airport limousine area of operations from 40 to 45 miles. Amends TCA Titles 2, 3, 7, 8, 39, 48, 55, 65, and 67. by \*Bragg.

**House Bill No. 3102** -- Taxes, Real Property - Raises penalty for failure to file property tax schedules from \$100 per day to \$200 per day. Amends TCA Title 67, Chapter 5, Part 13. by \*Bragg.

**House Bill No. 3103** -- Public Service Commission - Clarifies right of all telecommunications service providers to obtain non-discriminatory access to customers. Amends TCA Title 65. by \*Bragg.

**House Bill No. 3104** -- Correction, Dept. of - Requires reports of violence within correctional institutions be made available to members of general assembly upon written request. Amends TCA Title 41. by \*Brown.

**House Bill No. 3105** -- Welfare - Creates assisted group living in public housing pilot project. Amends TCA Title 71. by \*Brown.

**House Bill No. 3106** -- Aged Persons - Authorizes commissioner of finance and administration, subject to available funding, to establish program to purchase Medicare supplemental insurance or to provide other medical assistance for certain low-income, elderly homeowners. Amends TCA Title 71, Chapter 5, Part 1. by \*Brown, \*Brooks.

**House Bill No. 3107** -- State Prisoners - Imposes joint responsibility upon department of correction and TBI to investigate and determine underlying facts of certain alleged crimes perpetrated upon state prisoners housed within county or private correctional facilities. Amends TCA Title 38, Chapter 6, Part 1; Title 41, Chapter 21, Part 2 and Title 41, Chapter 24. by \*Brown.

**House Bill No. 3108** -- Education - Reestablishes Tennessee model dropout prevention program in department of education. to revive and re-enact TCA Section 3-15-207 and Section 49-1-520. by \*Jones U (Shelby), \*Bowers.

**House Bill No. 3109** -- Insurance, Health, Accident - Increases period allowed for offer of proof of child's birth or continued incapacity and dependency to retain mandated insurance coverage, from 31 to 60 days, following child's birth or date of attaining limiting age. Amends TCA Title 56, Chapter 7. by \*Odom.

**House Bill No. 3110** -- Dentists - Authorizes dentofacial orthopedics to be recognized as a specialty branch of dentistry. Amends TCA Title 63, Chapter 5. by \*Odom.

**House Bill No. 3111** -- Insurance, Health, Accident - Extends period from 31 to 60 days for providing notification if specific premium or fee is required for coverage for new born child or termination of coverage of dependent child. Amends TCA Title 56. by \*Williams (Williamson).

**House Bill No. 3112** -- University of Tennessee - Classifies resident physicians in training in emergency medicine as primary care physicians. Amends TCA Title 49. by \*Halteman Harwell.

**House Bill No. 3113** -- Physicians and Surgeons - Classifies resident physicians in training in emergency medicine as primary care physicians when applying for special training licenses. Amends TCA Title 63. by \*Halteman Harwell.

**House Bill No. 3114** -- Labor - Eliminates chair of statewide labor education association advisory committee as member of executive steering committee of institute for labor studies. Amends TCA Section 4-32-103. by \*Kernell, \*Garrett, \*Brooks.

**House Bill No. 3115** -- Alcoholic Offenses - Creates Class C misdemeanor offense of possessing beer or alcoholic beverage with intent to consume in nonenclosed areas open to public while in glass, aluminum or metal container. Amends TCA Title 39, Chapter 17, Part 7. by \*Langster, \*Jones U (Shelby), \*Brooks, \*Bowers, \*DeBerry L.

**House Bill No. 3116** -- DUI/DWI Offenses - Adds to conduct constituting violation of DUI law that person operating motor vehicle with BAC of .10 percent or more. Amends TCA Title 55, Chapter 10, Part 4. by \*Langster, \*Pruitt, \*West, \*DeBerry J, \*Towns.

**House Bill No. 3117** -- Firefighters - Establishes minimum salary supplement of \$600.00 for firefighters who complete voluntary annual in-service training programs. Amends TCA Title 4, Chapter 24. by \*Langster, \*Jones, S., \*West, \*Garrett, \*Odom, \*Towns, \*Halteman Harwell, \*DeBerry L, \*Armstrong, \*Brown, \*Brooks, \*Turner (Shelby).

**House Bill No. 3118** -- Welfare - Requires every applicant and worker employed by a child welfare agency to submit a criminal history background record to department of human services; person shall not remain in employment of agency if prior felony conviction. Amends TCA Title 71. by \*Langster, \*DeBerry L, \*Pruitt, \*Jones U (Shelby).

**House Bill No. 3119** -- Sports - Requires sports agents to register with and obtain permit from secretary of state; subjects such agents or employees of agents to civil liability, criminal penalties and permit revocation or suspension for violations of law. Amends TCA Title 49, Chapter 7, Part 21; Title 62 and Title 67, Chapter 4, Part 17. by \*Sharp, \*Buck, \*Eckles, \*Bragg, \*Ridgeway, \*Burchett, \*Williams (Union), \*Kent, \*Fitzhugh, \*Pinion, \*White.

**House Bill No. 3120** -- State Employees - Converts rural county WIC clerks and nutritionists under contract with community health agencies to state employee/civil service status under certain conditions. Amends TCA Title 8, Chapter 30 and Title 68, Chapter 2, Part 11. by \*Kerr, \*Newton, \*Patton, \*Boyer, \*Williams (Union), \*Westmoreland, \*Clabough, \*Davis, \*Gunnels, \*Hicks, \*Ramsey, \*Ritchie, \*Venable.

**House Bill No. 3121** -- Campaigns - Permits members of general assembly to conduct fundraising activities in home district during legislative session; permits nonincumbent candidate to raise funds year round. Amends TCA Title 2, Chapter 10, Part 3. by \*Kerr, \*Callicott, \*Westmoreland.

**House Bill No. 3122** -- Lobbying, Lobbyists - Permits gifts of food and beverages if value is less than \$50.00 and incidental gifts with value of less than \$50.00; value of gift of

food and beverage may not be reduced below monetary limit by dividing cost of gift among two or more lobbyists or employers of lobbyists. Amends TCA Title 3, Chapter 6. by \*Kerr, \*Patton, \*Westmoreland.

**House Bill No. 3123** -- Salaries and Benefits - Enacts "Tennessee Minimum Wage Act." by \*Kerr.

**House Bill No. 3124** -- Taxes, Income - Phases out Hall Income Tax over ten year period. Amends TCA Title 67, Chapter 2. by \*Kerr, \*Cantrell, \*Patton, \*Boyer, \*Williams (Union), \*Beavers, \*Peach, \*Ford S, \*Clabough.

**House Bill No. 3125** -- Drugs - Enacts "Drug Testing Standards Act of 1996". Amends TCA Title 53. by \*Kerr, \*Callicott, \*Williams (Union), \*Boyer, \*Westmoreland, \*Beavers, \*Peach.

**House Bill No. 3126** -- Forest and Forest Products - Authorizes division of forestry to implement and administer programs and policies to heighten public's awareness about importance of forestry to Tennessee's economy and quality of life. Amends TCA Title 11. by \*Kerr, \*McDaniel, \*Newton, \*Dunn, \*Patton, \*McKee, \*Callicott, \*Boyer, \*Rinks, \*Westmoreland, \*Peach, \*Beavers, \*Clabough, \*Givens.

**House Bill No. 3127** -- Salaries and Benefits - Prohibits practice as employee assistance professional without license. Amends TCA Title 62, Chapter 42. by \*Kerr.

**House Bill No. 3128** -- Election Laws - Permits registrar to purge voter registration after failure to respond to second address confirmation notice. Amends TCA Title 2. by \*Kerr, \*Newton, \*Jones R (Shelby), \*Peach.

**House Bill No. 3129** -- Nurses, Nursing - Requires board of nursing to establish continuing education requirement for registered nurses and licensed practical nurses. Amends TCA Title 63, Chapter 7. by \*Kerr, \*Patton, \*Givens.

**House Bill No. 3130** -- Taxes, Real Property - Raises income limit from \$10,000 to \$12,400 to qualify as elderly low-income or disabled homeowner for property tax relief; amount to be automatically adjusted in subsequent years to reflect Tennessee low income household income. Amends TCA Section 67-5-702 and Section 67-5-703. by \*Kerr, \*Patton, \*Callicott, \*Williams (Union), \*Boyer, \*Westmoreland, \*Beavers, \*Peach, \*Clabough.

**House Bill No. 3131** -- Education, Higher - Clarifies that legally adopted person is instate resident for tuition purposes if adoptive parents Tennessee residents. Amends TCA Title 49, Chapter 8 and Title 47, Chapter 9. by \*Kerr, \*Patton, \*Callicott, \*Westmoreland.

**House Bill No. 3132** -- Motor Vehicles - Requires local governments to use TDOT standards on design and weight relative to ability of road to carry weight of vehicle; requires TDOT to make such standards available to local governments. Amends TCA Title 55. by \*Kerr, \*Gunnels, \*Patton, \*McKee, \*Westmoreland, \*Peach.

**House Bill No. 3133** -- Architects and Engineers - Directs board of architects and engineers to develop policies for licensing of graduates of foreign colleges and universities. by \*Kerr, \*Patton, \*Boyer, \*Westmoreland.

**House Bill No. 3134** -- Highway Signs - Removes restriction on placing tourist oriented directional signs (TODS) on scenic highways; eliminates conflict in law regarding TODS on scenic highways. Amends TCA Title 54, Chapter 518 of the Public Acts of 1995, and Chapter 530 of the Public Acts of 1995, relative. by \*Kerr, \*Callicott, \*Jones R (Shelby), \*Westmoreland.

**House Bill No. 3135** -- Taxes, Sales - Provides that dealers not required to collect sales tax from out-of-state purchasers who provide copy of tax exemption from another state because purchaser is church, school or governmental entity Amends TCA Title 67, Chapter 6. by \*Ridgeway, \*Head, \*Herron, \*DeBerry L, \*Chumney, \*Byrd, \*Cross, \*Kisber, \*Winningham, \*Bell, \*Rhinehart, \*McDonald.

**House Bill No. 3136** -- Transportation, Dept. of - Authorizes commissioner to establish cost principles in determining reasonableness of costs; overhead not to exceed 150 percent of labor costs. Amends TCA Title 54, Chapter 5. by \*Stamps, \*Bittle, \*Davis, \*McDaniel.

**House Bill No. 3137** -- Local Government, General - Requires state board of equalization to provide policies concerning three certified tax ratios to local authorities instead of one, which provide adjustments for inflation or increasing property values. Amends TCA Title 67, Chapter 5, Part 17. by \*Stamps.

**House Bill No. 3138** -- Taxes, Sales - Exempts insulin pumps from sales and use tax Amends TCA Title 67, Chapter 6. by \*Beavers, \*Fowlkes.

**House Bill No. 3139** -- Loan Companies - Redefines "pawn broker" to include limited liability partnerships and limited liability companies. Amends TCA Title 45. by \*Towns, \*DeBerry J, \*Miller L, \*Jones U (Shelby), \*Brooks.

**House Bill No. 3140** -- State Employees - Requires 8 percent annual pay increase for state career service employees. Amends TCA Title 8. by \*Towns, \*Miller L, \*Jones U (Shelby), \*Brooks, \*Jones R (Shelby).

**House Bill No. 3141** -- Banks and Financial Institutions - Expands time in which commissioner of financial institutions may object to agency transactions between separate banks from 30 to 45 days. Amends TCA Title 45. by \*Towns, \*Miller L, \*DeBerry J, \*Brooks.

**House Bill No. 3142** -- Foster Care - Increases benefits to foster children by establishing minimum monthly allowance of not less than \$450 to \$597 depending upon age of child. Amends TCA Title 37 and Title 71. by \*Towns, \*Miller L, \*DeBerry J, \*Brooks, \*Jones R (Shelby).

**House Bill No. 3143** -- Personnel Recruiting Services - Requires temporary service agencies to provide insurance coverage for employees working beyond 30 days. Amends TCA Title 62, Chapter 31. by \*Towns, \*Miller L, \*Brooks, \*Jones R (Shelby).

**House Bill No. 3144** -- Courts, General Sessions - Permits attorneys and their agents to serve process in general sessions court; provides procedure that must be followed in order for such service to be effective. Amends TCA Title 8 and Title 16. by \*Jackson.

**House Bill No. 3145** -- Tennessee Regulatory Authority - Requires authority staff to report to general assembly when deemed such reporting appropriate. by \*Jackson.

**House Bill No. 3146** -- Mental Health and Mental Retardation, Dept. of - Redefines "facility" relative to licensure by department of health and mental retardation. Amends TCA Title 33, Chapter 2. by \*Jackson.

**House Bill No. 3147** -- Insurance Companies, Agents, Brokers - Requires commissioner to examine title insurance rating organizations at least once in four years. Amends TCA Title 56, Chapter 35. by \*Buck.

**House Bill No. 3148** -- Pensions and Retirement Benefits - Revises number of days person must be retired prior to returning to employment. by \*Winningham.

**House Bill No. 3149** -- Taxes, Sales - Provides that sales tax is due from dealers or retailers only when collected from purchasers. Amends TCA Title 67, Chapter 6, Part 1. by \*Byrd.

**House Bill No. 3150** -- Pharmacy - Specifies that pharmacies owned by limited liability corporations must have pharmacist on duty at all times pharmacy is open to public. Amends TCA Section 63-10-201. by \*Venable.

**House Bill No. 3151** -- Highway Signs - "A. J. Stalcup Highway", segment of S. R. 67 in Johnson County. by \*Venable.

**\*House Bill No. 3152** -- Pensions and Retirement Benefits - Makes employees and former employees of agencies that receive over 50 percent of budget eligible for membership and creditable service for such employment in TCRS. Amends TCA Title 8, Chapters 34 through 37. by \*Peach.

**\*House Bill No. 3153** -- Marriage - Authorizes county legislative body to establish three day waiting period for issuance of marriage license by county clerk. Amends TCA Title 36, Chapter 3. by \*Peach.

**House Bill No. 3154** -- Workers' Compensation - Permits trade or professional association to form self-insured employers pool if association has been in existence in another state for more than 20 years. Amends TCA Title 50, Chapter 6, Part 4. by \*Rhinehart.

**House Bill No. 3155** -- Pensions and Retirement Benefits - Authorizes retirement incentive plan for employees of public service commission. Amends TCA Title 8, Chapter 34, Part 2. by \*Rhinehart.

**House Bill No. 3156** -- Barbers - Requires board of barber examiners to issue certain special certificates of registration under certain circumstances. Amends TCA Title 62, Chapter 3, Part 1. by \*Rhinehart.

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**House Bill No. 3157** -- Adoption - Puts amendments adopted in 1995 by House that were removed by Senate action back into adoption law. Amends TCA Title 36, Chapter 1, Part 1 and Title 37. by \*McMillan.

**House Bill No. 3158** -- Taxes, Sales - Enacts "Truth in Local Sales Tax Act of 1996." Amends TCA Title 67, Chapter 6. by \*Curtiss.

**House Bill No. 3159** -- Taxes, Privilege - Authorizes counties by resolution of legislative body to levy recordation tax in same amount as state tax but with no earmarked allocations. Amends TCA Title 67, Chapter 4. by \*Bragg.

**House Bill No. 3160** -- Guardianship - Requires and specifies accounting procedures for fiduciaries and guardians and conservators. Amends TCA Title 34. by \*Garrett.

**House Bill No. 3161** -- Television, Cable - Creates Class C felony offense of offering any device or advising person on use of device designed to descramble signal carried by cable television company without paying appropriate fees. Amends TCA Section 7-59-109. by \*Bragg.

**House Bill No. 3162** -- Bond Issues - Authorizes \$355,500,000 bond issue to fund state projects. by \*Bittle, \*Bragg, \*Head, \*Kisber, \*Davis, \*McDaniel.

**House Bill No. 3163** -- Budget Procedures - Authorizes state tax revenues to exceed estimated growth in state's economy by \$17.2 million or 0.26 percent for fiscal year 1995-1996. Amends Title 9, Chapter 6, Part 2, of the TCA. by \*Bittle, \*Bragg, \*Head, \*Kisber, \*Davis, \*McDaniel.

**House Bill No. 3164** -- Budget Procedures - Increases index of appropriations from state tax revenues for 1996-1997 fiscal year by .01 percent or \$700 million. Amends Title 9, Chapter 6, Part 2, of the TCA. by \*Bittle, \*Bragg, \*Head, \*Kisber, \*Davis, \*McDaniel.

**House Bill No. 3165** -- Appropriations - Defrays expense of operating state government for fiscal year 1996-1997. by \*Bittle, \*Bragg, \*Head, \*Kisber, \*Davis, \*McDaniel.

**House Bill No. 3166** -- Children - Creates department of children's services. TCA Title 4, Title 7, Title 8, Title 10, Title 16, Title 33, Title 34, Title 36, Title 37, Title 38, Title 39, Title 40, Title 41, Title 49, Title 66, Title 68, and Title 71. by \*Walley, \*Byrd, \*Bittle, \*Davis.

**House Bill No. 3167** -- Abortion - Requires department of health to develop materials to be provided to attending physicians to ensure compliance with informed consent requirements of law. Amends TCA Section 39-15-202. by \*Walley.

**House Bill No. 3168** -- Health - Enacts "Patient Advocacy Act." Amends TCA Title 56, Chapter 7. by \*Byrd.

**House Bill No. 3169** -- Insurance, Health, Accident - Requires speakers of house and senate, in agreement with state constitutional officers, to appoint one citizen member to board

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of directors of non-profit hospital and medical service corporations. Amends TCA Section 56-29-105. by \*Windle.

**House Bill No. 3170** -- County Officers - Subject to local approval, abolishes office of constable in Morgan County. Amends Title 8, Chapter 10, Part 1. by \*Windle.

**House Bill No. 3171** -- Codes - Changes requirement for certification of municipal and county building inspectors from seven to five years of experience as building inspector. Amends TCA Section 68-120-113. by \*Givens.

**House Bill No. 3172** -- Tennessee Regulatory Authority - Changes date for reporting to general assembly from February to March. Amends TCA Section 65, and Public Chapter 305 of the Acts of 1995. by \*Givens.

**House Bill No. 3173** -- Courts, Criminal Appeal - Increases number of judges on court of criminal appeal from nine to 12; increases number of criminal appeal judges who can reside in any grand division from three to four. Amends TCA Title 16, Chapter 5. by \*Purcell, \*Hargrove, \*Chumney, \*Buck.

**House Bill No. 3174** -- Judges and Chancellors - Requires state court judge or chancellor to certify sickness or disability so that special judge may be appointed. Amends TCA Section 17-2-116. by \*Purcell, \*Hargrove, \*Chumney.

**House Bill No. 3175** -- Public Defenders - Permits executive secretary to district public defenders conference and executive secretary's assistants and employees to practice law if required by duties of office. Amends TCA Title 8, Chapter 14. by \*Purcell, \*Hargrove, \*Chumney, \*Buck, \*Williams (Williamson), \*Cole (Carter).

**House Bill No. 3176** -- Public Records - Prohibits using computer to record or store records unless computer program will reproduce records in nonproprietary form; requires reproduction of all public records on magnetic disc or tape. Amends TCA. by \*Purcell.

**House Bill No. 3177** -- Tennessee Regulatory Authority - Reduces fee assessed on public utility's gross receipts from intrastate operations from \$3.00 to \$2.50 per \$1,000. Amends TCA Titles 2, 4, 7, 8, 39, 48, 55, 65 and 67. by \*Purcell.

**House Bill No. 3178** -- Economic and Community Development - Insures that Tennessee Industrial Finance Corporations Act conforms with laws of state. by \*Purcell.

**House Bill No. 3179** -- Education - Enacts "Safe Schools Act." Amends TCA Title 39; Title 49 and Title 55. by \*Davidson, \*Purcell, \*Brown, \*Winningham.

**House Bill No. 3180** -- DUI/DWI Offenses - Prohibits use of insanity defense under charge of vehicular homicide when driver's intoxication is proximate cause. Amends TCA Section 39-13-213. by \*DeBerry J.

**House Bill No. 3181** -- Taxes, Sales - Exempts from sales tax any part or piece of any building, structure or sports facility of state college or university as souvenir or memento during period 11/1/93 through 6/94. Amends TCA Section 67-6-329. by \*Kisber, \*Head.

**House Bill No. 3182** -- Hospitals and Health Care Facilities - Allows any willing health care provider to provide services to any subscriber enrolled in MCO or TennCare or other managed care health insurance plan. Amends TCA Title 56 and Title 71. by \*Kisber.

**House Bill No. 3183** -- Insurance, Motor Vehicles - Adds small insurance policies with monthly premiums entitled to refund from insurer for stated percentage of premiums. Amends TCA Title 55 and Title 56. by \*Stamps.

**House Bill No. 3184** -- DUI/DWI Offenses - Authorizes administrative revocation of driver licenses for DUI. Amends TCA Title 55, Chapter 10, Part 6; Titles 4, 39, 40. by \*Robinson.

**House Bill No. 3185** -- Tattoo Parlors - Lengthens recordkeeping period for tattoo establishments, from two to three years. Amends TCA Title 62, Chapter 38. by \*West.

**House Bill No. 3186** -- Firearms and Ammunition - Revises firearms permit conditions; specifies that issuance of firearms carry permit will be by department of safety; clarifies who is entitled to obtain firearms carry permit. Amends TCA Title 39, Chapter 17, Part 13. by \*West.

**House Bill No. 3187** -- Public Service Commission - Revises law concerning utilities, public service commission and Tennessee regulatory authority. Amends TCA Title 2; Title 3; Title 4; Title 6; Title 7; Title 8; Title 9; Title 12; Title 13; Title 35; Title 39; Title 42; Title 47; Title 49; Title 54; Title 55; Title 58; Title 64; Title 65; Title 67 and Title 68. by \*Stamps, \*Venable, \*Bittle, \*McDaniel.

**House Bill No. 3188** -- Budget Procedures - Establishes procedures for appropriation of funds for state's share of costs beyond amounts estimated in fiscal notes prepared by staff of fiscal review committee. Amends TCA Title 9, Chapter 6. by \*McDaniel, \*Bittle.

**House Bill No. 3189** -- Budget Procedures - Revises law concerning state budget process. Amends TCA Title 9, Chapter 6. by \*Bittle, \*Venable, \*McDaniel.

**House Bill No. 3190** -- Banks and Financial Institutions - Limits transaction fees that may be imposed on user of ATM to \$2.00 per transaction or 2 percent of transaction, whichever is less. Amends TCA Title 45. by \*Bittle, \*Venable.

**House Bill No. 3191** -- Parks, Natural Areas Preservation - Adds portion of Clinch River from Melton Hill Dam upstream to Pellissippi Parkway to Class III developed river areas. Amends TCA Title 11, Chapter 13, Part 1. by \*Bittle, \*McDaniel.

**House Bill No. 3192** -- Taxes, Excise - Allows excise and franchise tax credit for coal producer of \$3.00 per ton of increased coal production over previous year's production. Amends TCA Title 67, Chapter 4, Part 8 and Title 67, Chapter 4, Part 9. by \*Bittle, \*McDaniel, \*Williams (Union).

**House Bill No. 3193** -- Sumner County - Subject to local approval, allows at-large member of board of education to be elected as member of education district. Amends Chapter 663 of the Private Acts of 1937. by \*Stamps, \*McDonald.



**\*House Bill No. 3194** -- Penal and Reformatory Institutions - Restricts sheriff's work release programs participation at schools to only on school grounds and before and after regular school hours. Amends TCA Title 41. by \*Stamps.

**House Bill No. 3195** -- Children - Prohibits distribution of tobacco product samples within 750 feet of certain schools, parks and other facilities where children congregate. Amends TCA Title 39, Chapter 17, Part 15. by \*Jackson.

**House Bill No. 3196** -- Medicine, Practice of - Allows physician to prescribe fenfluramine or phentermine only for treatment of obesity and only while patient is treated as part of comprehensive weight management program supervised and directed by certified physician. Amends TCA Title 63. by \*Williams (Williamson).

**House Bill No. 3197** -- Real Property - Requires representative of title company to clearly disclose to buyer effect of disclaimer that absolves seller of residential real property from covenants of title contained in warranty deed. Amends TCA Title 56, Chapter 35 and Title 66, Chapter 5, Part 2. by \*Sharp.

**House Bill No. 3198** -- Education - Adds "The American Home School Association, Inc." to list of entities that can accredit church-related schools. Amends TCA Section 49-50-801. by \*Turner (Shelby).

**House Bill No. 3199** -- Budget Procedures - Authorizes any county by two thirds vote of legislative body to adopt provisions of County Budget Law of 1990. Amends Chapter 550 of the Private Acts of 1989. by \*Newton.

**House Bill No. 3200** -- Motor Vehicles - Raises minimum distance which motor vehicle's horn must be heard under normal conditions from 200 to 220 feet. Amends TCA Title 55. by \*McMillan.

**House Bill No. 3201** -- Consumer Protection - Revises provisions relative to health clubs. Amends TCA Title 47, Chapter 18. by \*Williams (Williamson), \*Halteman Harwell.

**House Bill No. 3202** -- Alcoholic Beverages - Redefines "premier type tourist restaurant resort" from recreational facilities having 200 hotel or motel rooms to facilities having 150. Amends TCA Section 57-4-102. by \*Kisber.

**House Bill No. 3203** -- District Attorneys - Authorizes assistant district attorney with prior experience as assistant or district attorney, criminal investigator or other prosecutorial experience to be eligible for year for year credit upon recommendation of hiring district attorney, subject to approval of executive committee of district attorneys general conference. Amends TCA Title 8, Chapter 7, Part 2. by \*Newton.

**House Bill No. 3204** -- Crime, Victims of - Requires court of criminal appeals and supreme court to furnish opinions relative to homicide or sexual offenses to district attorney general prior to public dissemination in order that district attorney general may notify victim or victim's relatives. Amends TCA Title 40, Chapter 38, Part 1. by \*Newton.

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**House Bill No. 3205** -- Election Laws - Redefines "campaign contribution" to include funds used to defray expenses of officeholder. Amends TCA Title 2, Chapter 10 and Title 3, Chapter 6. by \*Kisber.

**House Bill No. 3206** -- Psychologists - Requires board of examiners in psychology to designate as health service provider person meeting certain criteria. Amends TCA Section 63-11-222. by \*McAfee.

**House Bill No. 3207** -- Food and Food Products - Requires food service workers to display and renew annually health certificate as to freedom from communicable disease. Amends TCA Section 53-8-111 and Title 68, Chapter 14, Part 3. by \*Stulce.

**House Bill No. 3208** -- Employees, Employers - Enacts "Drug Free Workplaces Act of 1996." Amends TCA Title 8; Title 50 and Title 56. by \*Stamps.

**House Bill No. 3209** -- Insurance, Motor Vehicles - Purports to change effective dates relative to priority and applicability of auto insurance coverage. Amends TCA Title 39 and Title 56. by \*Stamps.

**House Bill No. 3210** -- Workers' Compensation - Increases civil penalty for health care provider who renders excessive services under workers' compensation law from \$100 to \$250. Amends TCA Title 50 and Title 56, Chapter 3. by \*Venable.

**House Bill No. 3211** -- Contractors - Exempts certain buildings constructed by churches from Contractors Licensing Act of 1994. Amends TCA Title 62, Chapter 6. by \*Dunn.

**House Bill No. 3212** -- Taxes, Sales - Clarifies if charitable institution exempt from payment of taxes for carpet purchased, then no taxes due and payable either by institution for installation of carpet nor by person installing carpet. Amends TCA Title 67, Chapter 6. by \*Eckles.

**House Bill No. 3213** -- Insurance, Health, Accident - Enacts "Coverage for Experimental Treatment Act." Amends TCA Title 56, Chapter 7, Part 25. by \*Eckles.

**House Bill No. 3214** -- Environmental Preservation - Creates special account to segregate funds to pay debt service on bonds issued to clean up leaking underground petroleum tank sites. Amends TCA Title 4, Chapter 31; Title 67, Chapter 3, Part 9 and Title 68, Chapter 215. by \*Pinion.

**House Bill No. 3215** -- Tennessee Bureau of Investigation - Makes changes to Sexual Offender Registration and Monitoring Act"; allows offender 20 days rather than ten to return verification form; requires TBI to send verification form at least once every 180 days rather than 90; gives sheriff primary responsibility for apprehension of violators; and allows TBI records custodian to testify by sworn affidavit in prosecutions for violation of act. Amends TCA Title 40, Chapter 39. by \*Patton, \*Beavers, \*Ford S, \*Westmoreland, \*Dunn.

**House Bill No. 3216** -- Professions and Occupations - Authorizes board of professional counselors and marital and family therapists to issue temporary licenses as mental health service provider to persons completing required academic coursework and

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examination, but who lack necessary supervised experience. Amends TCA Title 63, Chapter 22, Part 1. by \*Patton.

**House Bill No. 3217** -- Child Abuse - Redefines "child abuse" to include criminal assault or criminal aggravated assault upon child by person not responsible for care of child Amends TCA Title 37. by \*Brooks.

**House Bill No. 3218** -- Probation - Establishes requirements relative to employees of agencies engaged in supervision of misdemeanor probationers. Amends TCA Section 40-35-302. by \*Fowlkes, \*Robinson.

**House Bill No. 3219** -- Transportation, Dept. of - Directs transfer of ferry at Clifton to Hardin County. by \*Rinks.

**House Bill No. 3220** -- Corporations, Not for Profit - Increases amount of time from 20 to 30 days after notification of denial that applicant for exemption may request hearing. Amends Title 48, Chapter 101, Part 5. by \*Rinks.

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**\*House Bill No. 3221** -- Highway Signs - "Billy Nance Memorial Highway," portion of Highway 117, Hardin County. by \*Rinks.

**House Bill No. 3222** -- Education, State Board of - Provides that at least six members of state board of education be former members of local boards of education; terminates present board 3/31/97 and provides for appointment of new board in same number, terms, etc. as present board on 4/1/97. Amends TCA Title 49, Chapter 1. by \*Patton.

**House Bill No. 3223** -- Highway Signs - "Bill Patton Memorial Bridge," in Lewis County. Amends TCA. by \*Patton.

**House Bill No. 3224** -- Criminal Offenses - Increases penalty for possession of still, from Class B to Class A misdemeanor. Amends TCA Title 39, Chapter 17. by \*Ramsey.

**House Bill No. 3225** -- Education, State Board of - Requires at least 165 contact hours for each credit unit at high school level. Amends TCA Title 49, Chapters 1 and 6. by \*Patton.

**House Bill No. 3226** -- Criminal Offenses - Updates references to TCA Title 39. Amends various sections of TCA. by \*Hargrove.

**House Bill No. 3227** -- Private Protective Services - Revises licensing, training, and duties of private protective services officers. Amends TCA Title 39; Title 40 and Title 62, Chapter 35. by \*Beavers.

**House Bill No. 3228** -- Insurance, Liability - Enacts "Amusement Rides Safety Inspection Act." Amends TCA Title 56, Chapter 38. by \*DeBerry J, \*Bowers.

**House Bill No. 3229** -- Bail, Bail Bonds - Enacts "Pretrial Release Services Program Act of 1996." Amends TCA. by \*Windle.

**House Bill No. 3230** -- Drugs - Requires report to general assembly concerning impact of regulation of ephedrine and its derivatives on dietary supplement industry by TBI and department of health. Amends TCA Title 39, Chapter 17, Part 4. by \*Buck.

**House Bill No. 3231** -- Local Education Agency - Requires approval of commissioner of education on state board of education's proposed superintendent salary schedules. Amends TCA Title 49, Chapter 1, Parts 2 and 3. by \*Buck.

**House Bill No. 3232** -- Sentencing - Adds additional aggravating circumstance necessary to impose death penalty or life without parole for first degree murder that victim was 60 years of age or older. Amends TCA Title 39, Chapter 13, Part 2. by \*Windle.

**House Bill No. 3233** -- Health - Requires certain employees within food service establishments to periodically obtain health certificates stating that they are free of certain diseases and conditions. Amends TCA Section 53-8-111 and Section 68-14-321. by \*Buck.

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**House Bill No. 3234** -- Divorce and Annulment - Restricts availability of irreconcilable differences as ground for divorce in certain circumstances Amends TCA Title 36. by \*Kernell.

**House Bill No. 3235** -- Securities - Effectuates various changes to Tennessee Securities Act of 1980. Amends TCA Title 48, Chapter 2, Part 1. by \*Armstrong.

**House Bill No. 3236** -- Penal and Reformatory Institutions - Revises provisions relative to construction and operation of correctional facilities. Amends TCA Title 41, Chapter 8 and Title 41, Chapter 24. by \*Rinks, \*Kisber, \*Rhinehart, \*Head.

**House Bill No. 3237** -- Municipal Government - Establishes mechanism to authorize, by 2/3 vote of legislative body, revocation of approval for election of city judge who is licensed attorney, giving concurrent jurisdiction to judge with courts of general sessions with retention of all fees to be paid into treasury of city. Amends TCA Section 6-21-501. by \*Wood.

**House Bill No. 3238** -- Insurance Companies, Agents, Brokers - Prohibits setting rates based upon zip code of applicant. Amends TCA Title 56. by \*Towns, \*Armstrong.

**SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 1959** -- Chiropractors - Revises requirements for obtaining continuing education hours. Amends TCA Section 63-4-112. by \*Henry.

**\*Senate Bill No. 1967** -- Highway Signs - "Smyrna/Rutherford County Airport," I-24, Exit 66B, and I-840, U.S. 41-70 Exit. by \*Womack.

**Senate Bill No. 2013** -- Highway Signs - "Judge Mac Farrar Memorial Highway," segment of setoff, Bedford County. by \*Womack.

**HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 2646** -- Utilities, Utility Districts -- House State & Local Government Committee

**House Bill No. 2647** -- Professions and Occupations -- House Commerce Committee

**House Bill No. 2648** -- Education -- House Education Committee

**House Bill No. 2649** -- Custody and Support -- House Judiciary Committee

**House Bill No. 2650** -- Guardianship -- House Judiciary Committee

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**House Bill No. 2651** -- Teachers -- House Education Committee

**House Bill No. 2652** -- Teachers -- House Education Committee

**House Bill No. 2653** -- Taxes, Sales -- House Finance, Ways & Means Committee

**House Bill No. 2654** -- Administrative Procedure -- House Government Operations Committee

**House Bill No. 2655** -- Motor Vehicles -- House Consumer & Employee Affairs Committee

**House Bill No. 2656** -- Memphis -- Local Bill Held on House Desk

**\*House Bill No. 2657** -- Education, Higher -- House Education Committee

**House Bill No. 2658** -- Custody and Support -- House Judiciary Committee

**House Bill No. 2659** -- Consumer Protection -- House Commerce Committee

**House Bill No. 2660** -- Highway Signs -- House Transportation Committee

**\*House Bill No. 2661** -- Environmental Preservation -- House Conservation and Environmental Committee

**House Bill No. 2662** -- Mass Transit -- House Transportation Committee

**House Bill No. 2663** -- Welfare -- House Health & Human Resources Committee

**House Bill No. 2664** -- Economic and Community Development, Dept. of -- House State & Local Government Committee

**House Bill No. 2665** -- Taxes, Gasoline, Petroleum Products -- House Transportation Committee

**House Bill No. 2666** -- Welfare -- House Health & Human Resources Committee

**House Bill No. 2667** -- Economic and Community Development, Dept. of -- House State & Local Government Committee

**House Bill No. 2668** -- Economic and Community Development -- House State & Local Government Committee

**House Bill No. 2669** -- Taxes, Sales -- House Finance, Ways & Means Committee

**\*House Bill No. 2670** -- DUI/DWI Offenses -- House Judiciary Committee

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**\*House Bill No. 2671** -- Criminal Offenses -- House Judiciary Committee

**\*House Bill No. 2672** -- Alcoholic Offenses -- House State & Local Government Committee

**\*House Bill No. 2673** -- DUI/DWI Offenses -- House Judiciary Committee

**\*House Bill No. 2674** -- Apportionment, Legislative -- House State & Local Government Committee

**House Bill No. 2675** -- Highway Signs -- House Transportation Committee

**House Bill No. 2676** -- Teachers -- House Education Committee

**House Bill No. 2677** -- Local Government, General -- House State & Local Government Committee

**House Bill No. 2678** -- Taxes, Sales -- House Finance, Ways & Means Committee

**House Bill No. 2679** -- Paternity -- House Judiciary Committee

**House Bill No. 2680** -- Insurance, Health, Accident -- House Commerce Committee

**House Bill No. 2681** -- Banks and Financial Institutions -- House Commerce Committee

**House Bill No. 2682** -- Public Funds and Financing -- House Commerce Committee

**House Bill No. 2683** -- Public Defenders -- House Judiciary Committee

**House Bill No. 2684** -- Pensions and Retirement Benefits -- House Finance, Ways & Means Committee

**House Bill No. 2685** -- Budget Procedures -- House State & Local Government Committee

**House Bill No. 2686** -- Tort Liability -- House Judiciary Committee

**House Bill No. 2687** -- Environmental Preservation -- House Conservation and Environment Committee

**House Bill No. 2688** -- County Government -- House Health & Human Resources Committee

**House Bill No. 2689** -- Naming and Designating -- House State & Local Government Committee

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**House Bill No. 2690** -- Health -- House Health & Human Resources Committee

**House Bill No. 2691** -- Tort Liability -- House Judiciary Committee

**House Bill No. 2692** -- Handicapped Persons -- House Health & Human Resources Committee

**House Bill No. 2693** -- Livestock -- House Agriculture Committee

**House Bill No. 2694** -- Highway Signs -- House Transportation Committee

**House Bill No. 2695** -- Driver Licenses -- House Transportation Committee

**House Bill No. 2696** -- Banks and Financial Institutions -- House Consumer & Employee Affairs Committee

**House Bill No. 2697** -- Insurance, Health, Accident -- House Commerce Committee

**House Bill No. 2698** -- Health -- House Health & Human Resources Committee

**House Bill No. 2699** -- Education, Higher -- House Education Committee

**House Bill No. 2700** -- Health -- House Health & Human Resources Committee

**House Bill No. 2701** -- Education -- House Education Committee

**House Bill No. 2702** -- Salaries and Benefits -- House State & Local Government Committee

**House Bill No. 2703** -- Welfare -- Caption Bill Held on House Desk

**House Bill No. 2704** -- Correctional Programs -- Caption Bill Held on House Desk

**\*House Bill No. 2705** -- Criminal Offenses -- House Judiciary Committee

**House Bill No. 2706** -- Education -- House Education Committee

**House Bill No. 2707** -- Teachers -- House Education Committee

**House Bill No. 2708** -- Motor Vehicles, Titling and Registration -- House Transportation Committee

**House Bill No. 2709** -- Criminal Offenses -- House Judiciary Committee

**House Bill No. 2710** -- Education, Higher -- House Education Committee

**House Bill No. 2711** -- Sentencing -- House Judiciary Committee



**REPORTS FROM STANDING COMMITTEES**

The committees that met on **January 30, 1996**, reported the following:

**FINANCE, WAYS AND MEANS**

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 2056. Under the rules, each was transmitted to the Calendar and Rules Committee.

**GOVERNMENT OPERATIONS**

The Government Operations Committee recommended for passage: House Bill(s) No(s). 2145, 2124, 2125, 2115, 2153, 2126, 2148 and 2139; also House Bill(s) No(s). 2119 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

**HEALTH AND HUMAN RESOURCES**

The Health and Human Resources Committee recommended for passage: House Bill(s) No(s). 1453 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

**STATE AND LOCAL GOVERNMENT**

The State and Local Government Committee recommended for passage: House Joint Resolution(s) No(s). 1. Under the rules, each was transmitted to the Calendar and Rules Committee.

**REPORTS FROM STANDING COMMITTEES**

The committees that met on **January 31, 1996**, reported the following:

**CONSERVATION AND ENVIRONMENT**

The Conservation and Environment Committee recommended for passage: House Bill(s) No(s). 1949 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

**JUDICIARY**

The Judiciary Committee recommended for passage: House Bill(s) No(s). 1989. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 47 and 1946 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

## TRANSPORTATION

The Transportation Committee recommended for passage: House Bill(s) No(s). 2165; also House Resolution(s) No(s). 383 and 161 Under the rules, each was transmitted to the Calendar and Rules Committee.

## CONSENT CALENDAR

**House Resolution No. 160** -- Memorials, Public Service - Vanguard Club of Memphis, Inc. by \*Brooks, \*J. DeBerry, \*Miller, L., \*Turner, U, \*Jones, \*Brown, \*Bowers.

**House Joint Resolution No. 408** -- Memorials, Personal Achievement - James T. Montcrief, Eagle Scout. by Byrd.

**House Joint Resolution No. 411** -- Memorials, Professional Achievement - Cornersville Lions Club, 50th Anniversary. by \*Fowlkes.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.....	96
Noes.....	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

## REGULAR CALENDAR

**\*House Bill No. 131**-- Sentencing - Requires judge to be aware of defendant's driver history, if one exists, prior to acceptance of guilty plea for DUI violation. Amends

TCA Title 55, Chapter 10, Part 4. by \*Herron, \*Ridgeway, \*Pinion, \*Curtiss, \*Fitzhugh, \*McDonald, \*West, \*Shirley, \*Haley. \*Williams (Union), \*Hassell, \*Tindell, \*DeBerry J, \*Halteman Harwell, \*Lewis, \*Walley, \*Givens, \*Ford S, \*Coffey, \*Turner (Hamilton). (SB709 by \*Crowe)

Rep. Herron moved that **House Bill No. 131** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	95
Noes .....	0
Present and not voting.....	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Turner (Shelby) -- 1.

A motion to reconsider was tabled.

**\*Senate Joint Resolution No. 210** -- Highway Signs - "Ellis I. Wallen, Sr. Memorial Bridge," Horse Creek on S.R. 93, Sullivan County. by \*Holcomb.

Rep. Westmoreland moved to concur in **Senate Joint Resolution No. 210**, which motion prevailed by the following vote:

Ayes.....	96
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

## UNFINISHED BUSINESS

### BILLS WITHDRAWN

On motion of Rep. Walley, **House Bill No. 2026** was recalled from the Government Operations Committee and withdrawn from the House.

On motion of Rep. Walley, **House Bill No. 2730** was withdrawn from the House.

On motion of Rep. Whitson, **House Bill No. 2194** was recalled from the State & Local Government Committee and withdrawn from the House.

On motion of Rep. Phelan, **House Bill No. 2171** was recalled from the Education Committee and withdrawn from the House.

On motion of Rep. Davis, **House Bill No. 1812** was recalled from the Finance, Ways & Means Committee and withdrawn from the House.

On motion of Rep. Boyer, **House Bill No. 2175** was recalled from the Consumer and Employee Affairs Committee and withdrawn from the House.

On motion of Rep. Lewis, **House Bill No. 545 and 1382** was recalled from the Finance, Ways and Means Committee and withdrawn from the House.

## ANNOUNCEMENTS

### REPORT FILED

The Clerk announced that, pursuant to TCA 50-7-506, the Department of Employment Security has submitted the Unemployment Trust Fund Balance Report and that it is on file in the Clerk's Office.

## SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 1684:** Rep(s). West as prime sponsor(s).

**House Bill No. 1946:** Rep(s). Kent, Chumney, White, Stamps, Buck, Fitzhugh, Williams(Williamson), Boyer, Hargrove, Purcell, Bird, Jackson, Peach, Westmoreland and Ritchie as prime sponsor(s).

**House Bill No. 1965:** Rep(s). Buck as prime sponsor(s).

**House Bill No. 1974:** Rep(s). Jones, S. as prime sponsor(s).

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**House Bill No. 2018:** Rep(s). Stamps, Garrett and Rinks as prime sponsor(s).

**House Bill No. 2169:** Rep(s). Phelan, Fitzhugh, Cole(Dyer), Ridgeway, Kisber, Naifeh, Herron and Rinks as prime sponsor(s).

**House Bill No. 2239:** Rep(s). Pinion as prime sponsor(s).

**House Bill No. 2763:** Rep(s). Callicott, Westmoreland, Kernell, Bittle, Stulce, Curtiss, Williams(Union), McAfee, Kisber, Odom and West as prime sponsor(s).

**House Bill No. 3034:** Rep(s). McKee as prime sponsor(s).

**House Bill No. 3035:** Rep(s). McKee as prime sponsor(s).

**MESSAGE FROM THE GOVERNOR  
January 31, 1996**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 399, with his approval.

HARDY MAYS, Counsel to the Governor.

**ENGROSSED BILLS  
January 31, 1996**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 131; also, House Joint Resolution(s) No(s). 408 and 411.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE  
January 31, 1996**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 408 and 409; both concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE  
January 31, 1996**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 210; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**  
**January 31, 1996**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1983, 1984, 1987, 1992, 1993, 1994, 1997, 1998, 1999, 2001, 2006, 2009, 2019, 2020, 2022, 2030 and 2051; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**\*Senate Bill No. 1983--** Sunset Laws - Interstate compact on mental health, June 30, 2004. Amends TCA Title 4, Chapter 29, and Title 33, Chapter 9. by \*Haynes.

**\*Senate Bill No. 1984 --** Sunset Laws - Home improvement commission, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 37. by \*Haynes.

**\*Senate Bill No. 1987 --** Sunset Laws - Advisory board for vocational training centers, June 30, 2004. Amends TCA Title 4, Chapter 29, and Title 49, Chapter 11. by \*Haynes.

**\*Senate Bill No. 1992 --** Sunset Laws - Southeast interstate forest fire protection compact, June 30, 2004. Amends TCA Title 4, Chapter 29, and Title 11, Chapter 4. by \*Haynes.

**\*Senate Bill No. 1993 --** Sunset Laws - Deletes southern regional education compact, board of control, from sunset provisions. Amends TCA Title 4, Chapter 29 and Title 49, Chapter 12. by \*Haynes.

**\*Senate Bill No. 1994 --** Sunset Laws - Southern regional education compact, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 49, Chapter 12. by \*Haynes.

**\*Senate Bill No. 1997 --** Sunset Laws - Terminates judicial evaluation guidelines commission. Amends TCA Title 17, Chapter 4. by \*Haynes.

**\*Senate Bill No. 1998 --** Sunset Laws - Terminates interagency coordination council on welfare independence. Amends TCA Title 4, Chapter 29, and Title 71, Chapter 3. by \*Haynes.

**\*Senate Bill No. 1999 --** Sunset Laws - Advisory council for education of students with disabilities, June 30, 2004. Amends TCA Title 4, Chapter 29, and Title 49, Chapter 10. by \*Haynes.

**\*Senate Bill No. 2001 --** Sunset Laws - Department of tourist development, June 30, 2004. Amends TCA Title 4, Chapters 3 and 29. by \*Haynes.

**\*Senate Bill No. 2006 --** Sunset Laws - Advisory council on teacher education and certification, June 30, 2004. Amends TCA Title 4, Chapter 29, and Title 49, Chapter 5. by \*Haynes.

**WEDNESDAY, JANUARY 31, 1996 -- FIFTY-SIXTH LEGISLATIVE DAY**

**\*Senate Bill No. 2009** -- Sunset Laws - Tennessee bureau of investigation, June 30, 2004. Amends TCA Title 4, Chapter 29, and Title 38, Chapter 6. by \*Haynes.

**\*Senate Bill No. 2019** -- Sunset Laws - Watkins Institute commission, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 49, Chapter 50. by \*Haynes.

**\*Senate Bill No. 2020** -- Sunset Laws - Tennessee alliance for fitness and health, June 30, 1999. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 40. by \*Haynes.

**\*Senate Bill No. 2022** -- Sunset Laws - Terminates comprehensive health insurance pool, board of directors, June 30, 1996. Amends TCA Title 4, Chapter 29 and Title 56, Chapter 7. by \*Haynes.

**\*Senate Bill No. 2030** -- Sunset Laws - Compact for education, June 30, 2004. Amends TCA Title 4, Chapter 29, and Title 49, Chapter 12. by \*Haynes.

**Senate Bill No. 2051** -- Medical Occupations - Revises scope and limitations of medical laboratory testing; exempts certain facilities from Medical Laboratory Act; increases medical laboratory board from 11 to 13 members. Amends TCA Title 68, Chapter 29, Part 1. by \*Holcomb.

**ROLL CALL**

Present ..... 96

Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

**RECESS MOTION**

On motion of Rep. Purcell, the House recessed until 9:00 a.m., Thursday, February 1, 1996.